

NATIONAL TRANSPORTATION SAFETY BOARD

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IN RE: :
 :
THE EAST FALLS CHURCH : NTSB Accident No.
DERAILMENT THAT OCCURRED ON: DCA16FR010
JULY 29, 2016 :
 :
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INTERVIEW OF: LAWRENCE SIMMONS

Tuesday,
August 9, 2016

WMATA Alexandria Rail Yard
Alexandria, Virginia

BEFORE

ROBERT DAVIS, WMATA

This transcript was produced from audio
provided by the National Transportation Safety Board.

P-R-O-C-E-E-D-I-N-G-S

7:07 p.m.

MR. DAVIS: All right. The time is now 19:07 hours, 19:07 hours, on August 9, 2016, Robert Davis, Safety Officer. And I'm here with Mr. Lawrence Simmons. Mr. Simmons' payroll number is [REDACTED]. Call number is [REDACTED]. Mr. Simmons has been with WMATA 11 years, since 2005. He's got three years as a track walker. And he's a Level A track walker.

Mr. Simmons, can you introduce yourself?

MR. SIMMONS: Yes, my name is Lawrence Simmons, 48 (phonetic) number [REDACTED], track walker A.

MR. DAVIS: Perfect. Thank you.

MR. SIMMONS: Okay.

MR. DAVIS: All right. Mr. Simmons, like you and I just talked a little bit about --

MR. SIMMONS: Yes.

MR. DAVIS: -- we're here to talk about the derailment over at K05. We're here to talk about general track inspection --

MR. SIMMONS: Yes.

MR. DAVIS: -- and your understanding of what WMATA's expectations are of track walkers and what your responsibilities are as a track walker.

MR. SIMMONS: Yes. Okay.

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1 MR. DAVIS: All right. First, I'd like to
2 ask you, do you remember going through class, how many
3 weeks that you were in class?

4 MR. SIMMONS: Yes, we started in July, and
5 we completed our classes in December. We had on-the-
6 job training, so we didn't have continual class work.

7 MR. DAVIS: Okay.

8 MR. SIMMONS: You know, we did go to
9 different yards and walked with people and learned
10 through them, you know, other track walkers. I think
11 it was about 20 weeks, I believe, 18 weeks.

12 MR. DAVIS: Okay.

13 MR. SIMMONS: I believe, yes, 18 weeks.
14 But, you know, that was 18 weeks of the class, but we
15 also was walking in that time, too, from July to
16 December.

17 MR. DAVIS: In general, your own feeling, do
18 you think that the training's been adequate, including
19 --

20 MR. SIMMONS: Yes.

21 MR. DAVIS: -- you know, OJT stuff?

22 MR. SIMMONS: Yes, I do believe that I have,
23 you know, learned a lot, an incredible amount, in that
24 short period of time, especially with the track
25 standard books with Mr. Armstrong (phonetic). You

1 know, he taught very well.

2 Of course, there was so much information
3 that I had to take time to grasp it. And in doing
4 that, in the way of grasping it, I was actually out
5 there doing the work, you know, so I could get a much
6 better understanding of what I was doing and what I
7 have learned. So, yes, the class work is good.

8 MR. DAVIS: Okay.

9 MR. SIMMONS: But I do believe that, you
10 know, in these workshops, you know, to keep our minds
11 sharp --

12 MR. DAVIS: Okay.

13 MR. SIMMONS: -- you know, as we go out
14 there and inspect these tracks, you know. So, yes, yes
15 --

16 MR. DAVIS: Okay. The ongoing process now,
17 as you have developed in the program, you started as a
18 D?

19 MR. SIMMONS: Yes, sir.

20 MR. DAVIS: And you're currently an A.

21 MR. SIMMONS: Yes.

22 MR. DAVIS: So every 12 months you can take
23 a test to go up, or how does that work?

24 MR. SIMMONS: Well, actually you can take a
25 test every six months.

1 MR. DAVIS: Six months, okay.

2 MR. SIMMONS: Right. And with the program
3 that I was in, we came in as a D, training actually, a
4 trainee. And we was able to take the test much quicker
5 than the average one --

6 MR. DAVIS: Okay.

7 MR. SIMMONS: -- due to the fact that we
8 come from other parts of Metro. So that was part of
9 the agreement in our contracts.

10 MR. DAVIS: Okay, okay.

11 MR. SIMMONS: Yes.

12 MR. DAVIS: What -- you said something about
13 the track standards. So you're familiar with the WMATA
14 1000?

15 MR. SIMMONS: Yes, sir.

16 MR. DAVIS: Okay. In the 1000, we have the
17 track inspection checklist, which is all the components
18 and everything --

19 MR. SIMMONS: Yes, sir.

20 MR. DAVIS: -- that you check. And you're
21 very aware of all those pieces and components and check
22 with those daily?

23 MR. SIMMONS: Yes, sir.

24 MR. DAVIS: Okay.

25 MR. SIMMONS: Yes, sir.

1 MR. DAVIS: When you walk a track out there,
2 I think it's K02 to K06 is a regular walk, right?

3 MR. SIMMONS: Yes. What I'm walking now is
4 from K06 to K08.

5 MR. DAVIS: Right.

6 MR. SIMMONS: Yes, that's my walk.

7 MR. DAVIS: Right. But before you've walked

8 --

9 MR. SIMMONS: I have walked, yes, K02 to
10 K06.

11 MR. DAVIS: Okay.

12 MR. SIMMONS: Yes.

13 MR. DAVIS: Okay. So if I'm at K05 and I'm
14 walking back to K04 on 2 track --

15 MR. SIMMONS: Yes.

16 MR. DAVIS: -- starting your day at K05 and
17 you are on your normal walk day for track 2?

18 MR. SIMMONS: Yes.

19 MR. DAVIS: As you walk through the
20 interlocking at K05, what do you know or what have you
21 been told your responsibilities are?

22 MR. SIMMONS: Oh, okay. Yes, we -- well,
23 for me, of course, we want to inspect the area. When
24 it comes to the interlock, we usually just inspect,
25 going through the switches just to see if any loose

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1 bolts or cotter pins, things of that nature, something
2 abnormal. But we don't do a thorough inspection,
3 because, you know, monthly that's what we do with the
4 interlocks is do a thorough inspection.

5 Actually, we don't even look at the diamonds
6 when we walk through. You know, we just glance over.

7 MR. DAVIS: You mean on your regular walk?

8 MR. SIMMONS: Yes, on my regular walk, you
9 know.

10 MR. DAVIS: Okay.

11 MR. SIMMONS: So, yes, because we're walking
12 through track 2 and going straight through the
13 interlock.

14 MR. DAVIS: Okay. What are you looking for
15 generally when you're on a regular walk?

16 MR. SIMMONS: Well, you know, everything,
17 low ballasts, like I say, deteriorating ties, loose
18 bolts, loose, cracked rails, the third rail,
19 insulators, cover boards missing. That's what we find
20 a lot of, you know, missing cover boards.

21 The end approach, make sure that nothing's
22 collecting shoes (phonetic), hitting it where they're
23 breaking off, you know, because that do happen a lot.

24 Any abnormal things beside, you know,
25 inside, debris on the track, the fencing, anything

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1 abnormal, you know, that's going to cause the train to
2 derail or have a accident --

3 MR. DAVIS: Okay.

4 MR. SIMMONS: -- in any way.

5 MR. DAVIS: What are some of those things
6 that you might see that could possibly derail a train
7 or do something like that?

8 MR. SIMMONS: Well, the open joints, joint
9 bars breaking, that can -- you know, we don't -- if we
10 miss that, that can cause derail --

11 MR. DAVIS: Right.

12 MR. SIMMONS: -- a derail.

13 Lateral movement, you know, anything with
14 the rail itself moving back and forth, you know, wide
15 court to wide gauge, that's -- I think they talk about
16 that a lot now due to this derailment. So the spikes,
17 you know, the clips, you know, the place --

18 MR. DAVIS: Right.

19 MR. SIMMONS: -- fasteners, all that stuff
20 that, you know, can cause it to derail, I do look at
21 that and make sure that that's in proper order, you
22 know, everything's intact, nothing's out of place. I
23 look at it on each and every time.

24 MR. DAVIS: Okay. You said something about
25 cover boards. Is there anything else you look at with

1 the third rail?

2 MR. SIMMONS: Yes, the third rail itself.

3 You know, if anything's cracked, I look at that. I

4 look at the insulators and make sure the insulators are

5 supporting the third rail. You know, you also have the

6 -- what do I want to say -- the -- you know, it's

7 funny. I can say these things when I'm out there.

8 Well, anything abnormal with the third rail itself, you

9 know.

10 MR. DAVIS: Okay.

11 MR. SIMMONS: You know, if there's leaning,

12 something that pushed it over, you know, anything

13 abnormal.

14 MR. DAVIS: I see.

15 MR. SIMMONS: You know, expansion joints,

16 that's what I want to say. The expansion joints, you

17 know, make sure that the bolts are in that. You know,

18 yes, those type of things.

19 MR. DAVIS: Okay. You said something about

20 the ballast.

21 MR. SIMMONS: Yes.

22 MR. DAVIS: What does the ballast have to do

23 with track --

24 MR. SIMMONS: For the track itself? Yes, if

25 the ballast is too low, what happens is the ties will

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1 move, you know, back and forth, not so much lateral but
2 back and forth. And that can create a wide gauge. If
3 the ties moves wide enough, you know, that creates a
4 problem. Then the plates can slide off, you know.

5 MR. DAVIS: Okay.

6 MR. SIMMONS: And the spikes itself, you
7 know, so that's very important. That supports the
8 rail, you know, the ballast itself. And then it
9 supports them ties so they don't move back and forth.

10 MR. DAVIS: I see.

11 MR. SIMMONS: Yes.

12 MR. DAVIS: When you do the third yard, the
13 monthly switch inspections --

14 MR. SIMMONS: Yes.

15 MR. DAVIS: -- what do you understand is
16 your responsibility and what you're checking at those
17 locations, the switch locations?

18 MR. SIMMONS: Okay. Well, with the switch
19 inspection, the interlockings anyway, you know, I
20 understand just like anything else, what can cause the
21 derailment. Is the switch point tucking under the rail
22 when it's, you know, in the normal or, you know,
23 reverse positions? You know, I do look at that.

24 Of course, we have to look at, like I said,
25 the bolts on it, the cotter pins and the heel blocks

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1 and all of that.

2 Matter of fact, I had to tighten up two heel
3 block bolts yesterday because the cotter pins weren't
4 in there. So you tighten it up and put in the cotter
5 pins so, you know, they won't turn out. That's very
6 important because, if they go bad, then, you know, the
7 whole switch area is going to go bad, you know.

8 MR. DAVIS: What's a heel block?

9 MR. SIMMONS: The heel block is -- okay.
10 You have the two rails. You know, one rail that's
11 moving back and forth. Then you got the main rail.
12 What it do is connecting them two rails together.

13 MR. DAVIS: Okay.

14 MR. SIMMONS: Okay. And then, you know, of
15 course, you've got your rods that's moving the rails
16 back and forth. So if that bolt is loose, then that
17 moving rail is going to come loose and break away.
18 That could be a derailment.

19 MR. DAVIS: Where's the rod? Does that move
20 with the heel block?

21 MR. SIMMONS: No. The heel block doesn't
22 move. But there is a floating heel block, you know.
23 But the heel block doesn't move.

24 MR. DAVIS: Okay.

25 MR. SIMMONS: But the rods do move in the

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1 front, you know, move at the point --

2 MR. DAVIS: Right.

3 MR. SIMMONS: -- you know, the switch points
4 back and forth, about three to five rods that moves it
5 back and forth.

6 MR. DAVIS: The switches there, you said
7 something about tucking. What kind of switch is that
8 at East Falls?

9 MR. SIMMONS: Well, I think it has a number
10 8 frog. So that type of -- you know, the Samson
11 undercut is right on the rail. And so it tucks up in
12 there, the switch point. So it's protected from the
13 wheel and hitting the point and chipping it off or
14 breaking it.

15 MR. DAVIS: Okay.

16 MR. SIMMONS: You know, we don't want that.
17 You know, that's another cause of derail.

18 MR. DAVIS: Okay.

19 MR. SIMMONS: So we got to watch out for
20 that.

21 MR. DAVIS: Right, right.

22 MR. SIMMONS: Yes.

23 MR. DAVIS: And the frog has a point on it,
24 right?

25 MR. SIMMONS: Yes, yes, it do have a point.

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1 MR. DAVIS: Okay.

2 MR. SIMMONS: Yes.

3 MR. DAVIS: I noticed that it looked like,
4 when I was out there during the derailment, that the
5 point was broken on the frog. It was flat. It wasn't
6 a point point.

7 MR. SIMMONS: Well, you know, it wasn't like
8 that when we came through.

9 MR. DAVIS: Okay.

10 MR. SIMMONS: You're saying that the point
11 was broken. That's probably -- the derailment probably
12 caused that, you know, with the train, with all the
13 force hitting that area, you know.

14 I have seen broken points. And I have
15 called in a restriction on that. That's automatic --

16 MR. DAVIS: Okay.

17 MR. SIMMONS: -- for me. You know, when I
18 see a point, a bad frog, or any type of crack in that
19 frog on the wing or anywhere, you know, that's an
20 automatic restriction for me. That's either the
21 train's out of service or maybe slow to ten miles an
22 hour --

23 MR. DAVIS: Okay.

24 MR. SIMMONS: -- you know. And, of course,
25 I contact the supervisor. But it's immediately. I

1 don't contact them until after I put in that
2 restriction --

3 MR. DAVIS: Okay.

4 MR. SIMMONS: -- you know, because I have
5 done that, you know, with that point. It's very
6 critical.

7 MR. DAVIS: You said something earlier
8 before we went on tape, something about screw spikes?

9 MR. SIMMONS: Yes, screw spike, yes.

10 MR. DAVIS: Okay. You said you inspected
11 the screw spikes in June?

12 MR. SIMMONS: Yes.

13 MR. DAVIS: And they were all good through
14 there?

15 MR. SIMMONS: Yes, most of them were good.
16 You know, you have some loose screw spikes in there.
17 But nothing that would cause any derailment or moving
18 of the rail --

19 MR. DAVIS: Okay.

20 MR. SIMMONS: -- you know, some place.
21 Maybe one or two might, in the plate, might be loose,
22 but the other ones are holding.

23 So, yes, there was nothing that actually
24 would cause a derailment, you know, where it had
25 alarmed me to restrict that area, not at all, not at

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1 all.

2 MR. DAVIS: Okay. Now, do we have -- I'm
3 trying to think. The screw spikes, they go all the way
4 through the interlocking, through the crossover?

5 MR. SIMMONS: The screw spikes?

6 MR. DAVIS: Yes. I mean, they're -- we got
7 --

8 MR. SIMMONS: Oh, yes.

9 MR. DAVIS: They're all wood ties, right?

10 MR. SIMMONS: Right, they're all wood ties
11 in that area. Right, the spikes do go on each plate
12 all through that area.

13 MR. DAVIS: Okay.

14 MR. SIMMONS: No, no, there are some spikes,
15 just regular spikes, that they hammer in.

16 MR. DAVIS: Oh, there are some of --

17 MR. SIMMONS: Yes, there are some of those.
18 And I guess they're changing over, because, you know,
19 what happens when it's pumping, it actually pulls up in
20 that area. I seen a lot of those being pulled up from
21 pumping.

22 MR. DAVIS: Okay.

23 MR. SIMMONS: The ties.

24 MR. DAVIS: Okay.

25 MR. SIMMONS: Yes.

1 MR. DAVIS: Okay. So the only time we
2 inspect the tracks in the crossovers --

3 MR. SIMMONS: Yes.

4 MR. DAVIS: -- is during our switch
5 inspections.

6 MR. SIMMONS: Well, all of that is the same.
7 The interlock is all together. The interlock
8 inspection and the switches, you know, is part of the -
9 - the switch inspection, the diamond, all of that is
10 inspected monthly.

11 MR. DAVIS: Okay.

12 MR. SIMMONS: Yes, that's the only time we
13 actually do that. You know, but now they've changed
14 and say while we're walking through there, walk out to
15 the diamonds to see what it looks like. Okay. We do
16 that. But before they -- it wasn't required to do.

17 MR. DAVIS: Yes, because mentally to me I'm
18 thinking that's a main track, right?

19 MR. SIMMONS: Yes.

20 MR. DAVIS: You know, even the, yes -- I
21 understand the switch inspection. But the crossovers
22 would kind of seem to me like a main track, hmm.

23 MR. SIMMONS: Well, you know, all of it is
24 main track, you know. But it's part of the monthly
25 switch inspection. We do focus on it. If something

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1 looks bad while we're walking through, then we walk
2 over to it --

3 MR. DAVIS: Okay.

4 MR. SIMMONS: -- you know. But our
5 requirement is that, you know, we walk straight down
6 the track, because then we are inspecting the switch
7 area, the interlocking area, and then we will be
8 putting that down in a different way. It wouldn't be
9 for like we saw this on track 2, so we put it in the
10 database on track 2. You know, it would be in another
11 database, the X database, which is the switch database.

12 You know, so, yes, we inspect them the same
13 way, but we inspect them differently on different
14 times. That's what it is. And, you know, we mostly
15 focus on that one track that --

16 MR. DAVIS: I see.

17 MR. SIMMONS: -- we're working on that day.

18 MR. DAVIS: Whether it be 1 or 2, and then
19 you don't really go into the diamond.

20 MR. SIMMONS: Right. Unless, you know,
21 there is some type of suspicion there.

22 MR. DAVIS: Okay.

23 MR. SIMMONS: You know, that has happened to
24 me before.

25 MR. DAVIS: I see on just -- I picked this

1 one out. This is 7/16.

2 MR. SIMMONS: Yes.

3 MR. DAVIS: This is your walk from Ballston
4 to Vienna.

5 MR. SIMMONS: Ballston to --

6 MR. DAVIS: Oh, no, you did riding
7 inspection.

8 MR. SIMMONS: Yes.

9 MR. DAVIS: Okay.

10 MR. SIMMONS: That's riding inspection,
11 because, you know, the month of July was a lot of heat,
12 so that was heat riding inspections. So we actually
13 are riding over the area.

14 So we can't visually inspect that area when
15 we're riding. You know, we can only see the road
16 straight ahead. You know, we can't look to the side.
17 But we won't be fully detailed on that area. You know,
18 we can't be concentrating on that area because we're
19 riding the train.

20 MR. DAVIS: Okay.

21 MR. SIMMONS: Yes.

22 MR. DAVIS: All right.

23 MR. SIMMONS: Maybe that's what's happening
24 with that.

25 MR. DAVIS: So what is this called that you

1 make to get every day?

2 MR. SIMMONS: I'm sorry. What do you mean?

3 MR. DAVIS: What is this thing called?

4 MR. SIMMONS: Our daily.

5 MR. DAVIS: Daily. Okay.

6 MR. SIMMONS: Yes, this is our dailies, yes,
7 our daily report.

8 MR. DAVIS: And you have to sign these every
9 day.

10 MR. SIMMONS: Yes, we have to. Yes, we have
11 to sign this every day. We do sign the daily every
12 day.

13 MR. DAVIS: And these are -- well, now that
14 we've got -- I was going to say they're certain kind of
15 documents, but now they're federal documents because
16 the FTA is our oversight.

17 MR. SIMMONS: Oh, okay. I understand that.

18 MR. DAVIS: Yes, yes. So whatever we put on
19 here, you'd say what you've done that day.

20 MR. SIMMONS: Yes, sir.

21 MR. DAVIS: All right. So like this day you
22 rode, so that's why you say you rode on here.

23 MR. SIMMONS: That's right. That's right.

24 MR. DAVIS: All right. And then, of course,
25 you don't have any defects because you took a ride.

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1 MR. SIMMONS: I took a ride.

2 MR. DAVIS: Okay.

3 MR. SIMMONS: Yes. So, you know, that's why
4 I was saying no kinks were found.

5 MR. DAVIS: Right.

6 MR. SIMMONS: You can't see kinks. We can't
7 see it when we're riding.

8 MR. DAVIS: Right. Now, these forms are
9 called turnout inspection or monthly switch inspection
10 forms.

11 MR. SIMMONS: Yes, our monthly switch
12 inspection forms.

13 MR. DAVIS: Okay.

14 MR. SIMMONS: Yes, sir. Now see, these are
15 the older. At first they were saying turnout. Now
16 they're saying monthly.

17 MR. DAVIS: Right.

18 MR. SIMMONS: So they changed that to, from
19 turnout to monthly.

20 MR. DAVIS: Okay. All right. All right.
21 This is switch 1A, right?

22 MR. SIMMONS: Yes, sir.

23 MR. DAVIS: And that is from -- that is what
24 you did in June.

25 MR. SIMMONS: Yes, this is what I did in

1 June.

2 MR. DAVIS: Correct?

3 MR. SIMMONS: Yes, sir.

4 MR. DAVIS: All right. Again, these are all
5 federal documents we're talking about, right?

6 MR. SIMMONS: Yes.

7 MR. DAVIS: Okay. So all the information on
8 these documents is what we consider to be truthful and
9 --

10 MR. SIMMONS: Yes.

11 MR. DAVIS: -- what we actually saw. We
12 don't put down anything that anybody tells us or that's
13 not out there.

14 MR. SIMMONS: Right.

15 MR. DAVIS: Right?

16 MR. SIMMONS: That's correct. That's what
17 is out there.

18 MR. DAVIS: Okay. Can you do me a favor and
19 look at the note? And I don't -- you know, I got a
20 different one here. But look, read the first note to
21 me.

22 MR. SIMMONS: Okay. Wheel burn on curve,
23 closure rail?

24 MR. DAVIS: Yes.

25 MR. SIMMONS: Yes.

1 MR. DAVIS: Okay. What's the next one?

2 MR. SIMMONS: And that's also three missing
3 screw spikes on frog area.

4 MR. DAVIS: Okay. And what's the next one?

5 MR. SIMMONS: That's 15 deteriorating ties
6 on an area.

7 MR. DAVIS: Fifteen deteriorating --

8 MR. SIMMONS: That's quite a lot. That's
9 quite a lot.

10 MR. DAVIS: Is that your signature down
11 there as inspector?

12 MR. SIMMONS: Yes.

13 MR. DAVIS: Okay.

14 MR. SIMMONS: That's my signature.

15 MR. DAVIS: So you put 15 deteriorating ties
16 in the diamond area.

17 MR. SIMMONS: Right.

18 MR. DAVIS: How many ties would you say are
19 in the diamond area altogether on all four tracks?

20 MR. SIMMONS: Let's see. It's probably 200
21 feet, and then I'd say about 30, at least 30, 40 ties.

22 MR. DAVIS: Okay.

23 MR. SIMMONS: I never really counted it, you
24 know.

25 MR. DAVIS: That's -- no, that was what I

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1 was thinking, too.

2 MR. SIMMONS: I think about 30 or 40 ties.

3 MR. DAVIS: Now, I figured about 40, yes.

4 Fifteen of the forty --

5 MR. SIMMONS: Yes.

6 MR. DAVIS: -- are bad.

7 MR. SIMMONS: They deteriorated, but they
8 wasn't totally defective. So they were aware they were
9 worn and they aged. Of course, the creosote had dried
10 out. They were getting -- they were the old ties. It
11 wasn't where -- they crack up, so that's why I would
12 say deteriorating.

13 MR. DAVIS: Oh, okay.

14 MR. SIMMONS: You know, it's not where
15 something ran over and wore them down. It's just that
16 they crack up. That's why we call them deteriorating
17 ties. But if they were defective ties, then I would
18 have to restrict them --

19 MR. DAVIS: Okay.

20 MR. SIMMONS: -- you know.

21 MR. DAVIS: What is the difference between,
22 what did you say, defective and deteriorating?

23 MR. SIMMONS: Yes. Well, defective ties are
24 ones that are really broken up, and they can't be used
25 anymore. The plates are not, the spikes are not

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1 holding that area and not holding the plates to the
2 rail. So that's totally defective. And that, if
3 there's enough of them, will call, I mean, will be a
4 restriction.

5 MR. DAVIS: Have you ever come across a
6 defective tie?

7 MR. SIMMONS: Yes, yes. There's quite a lot
8 of defective ties --

9 MR. DAVIS: Oh, really?

10 MR. SIMMONS: -- out there, believe me. But
11 they don't be all in a row, you see. See, that's the
12 thing about this. You know, you have a defective tie
13 out there, but they don't want us to call in a
14 restriction, you know, unless there's so many in a row.
15 Then --

16 MR. DAVIS: And that's your job?

17 MR. SIMMONS: If it's so, yes, if it's so
18 many in a row. But now, see, our supervisors, when it
19 comes to restrictions, they are very much against us
20 restricting this.

21 MR. DAVIS: Really?

22 MR. SIMMONS: Oh, most definitely.

23 MR. DAVIS: (Unintelligible.)

24 MR. SIMMONS: I thought you knew. I'm
25 serious. We have --

1 MR. DAVIS: I know Trapp gets into it with
2 them. But I didn't know that was all out there.

3 MR. SIMMONS: It's everywhere. It's all
4 over.

5 MR. DAVIS: Really?

6 MR. SIMMONS: Matter of fact, I talked to my
7 supervisor just two days ago about a restriction, you
8 know, low ballast. Now, anything, okay, five inches or
9 more is a red.

10 MR. DAVIS: Five inches --

11 MR. SIMMONS: You know, five inches down
12 from the ballast, the ballast down from the crosstie.

13 MR. DAVIS: Okay.

14 MR. SIMMONS: Five inches or more is a red.
15 I got into it with two supervisors about this. I said,
16 look, I need to get out here and call this restriction.
17 I'm going to go ahead and do this.

18 They said, no, no, no, no, because -- okay,
19 my supervisor now, Mike Lovick, just two days ago, I
20 said, look, I need to call this thing restrictable,
21 even though nothing is going on with the, you know,
22 lateral movement or anything. But it's the ballast. I
23 can actually show that, where it is, where five inches.

24 It don't tell you that there's a lot of ties
25 that got to be in a row or anything. It just said --

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1 it's like chapter 5 or something, 5 or 6. And it just
2 says five inches or more is a red.

3 MR. DAVIS: Okay.

4 MR. SIMMONS: Okay. And I told him this.
5 And he said, no, why don't you hold out for a minute.
6 I'm going to talk to the maintenance manager because,
7 you know, he's a friend of mine and, you know, we can
8 get this ballast out here, and that way we won't have
9 to call in a restriction.

10 Of course, you know, a lot's been going on
11 in two days where I wasn't able to get back to
12 restricting this, because I really am going to restrict
13 this because I'm walking over something that is in
14 restriction. Even though it's not a great danger to
15 the train, it's in the book.

16 MR. DAVIS: Okay.

17 MR. SIMMONS: You want to see it?

18 MR. DAVIS: I got it. No, I got it here
19 now, yes.

20 MR. SIMMONS: You got it? Okay. I think
21 it's another page over, another page over. Not that
22 way, the other way. I'm sorry.

23 MR. DAVIS: That's all right.

24 MR. SIMMONS: I told you. It's probably a
25 couple of pages over. But it's in that section there.

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1 MR. DAVIS: Yes, I got it now.

2 MR. SIMMONS: Yes. So they're saying that,
3 you know, since it's been like this a long time, don't
4 worry about it. But I'm -- this is my job.

5 MR. DAVIS: And you --

6 MR. SIMMONS: You know, I'm revealing this
7 to you. And this can be detrimental to me due to the
8 fact that, you know, I'm saying that I ain't walking
9 over a restriction. But I'm letting you know that my
10 supervisor also knows this, and he doesn't want me to
11 put it on restriction.

12 And like I say, it's not the first time, not
13 just with Mike Lovick but the supervisor before him.
14 You know, he says the same thing. And it's supposed to
15 have happened where ballasts are supposed to be put in
16 that crib area. But it didn't happen, you see.

17 I'm going by their word, but they're not
18 doing, you know, what they told me they're going to do.

19 MR. DAVIS: Sure.

20 MR. SIMMONS: So now I'm going to -- next
21 week I'm going to do this, you know, because I can't
22 get out there until, well, actually Thursday on track
23 2. That's where it is.

24 MR. DAVIS: Okay.

25 MR. SIMMONS: So I can't get out there. But

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1 this, I'm most definitely going to restrict that
2 because it is a restriction. It's part of our job.

3 MR. DAVIS: So when a -- isn't there
4 somebody above the supervisor that you can talk to, or
5 is that not how it works?

6 MR. SIMMONS: Well, there is Mike Thomas --

7 MR. DAVIS: Mike Thomas.

8 MR. SIMMONS: -- and Cliff Davis (phonetic).
9 A lot of times Cliff, he sweeps stuff under the rug.

10 MR. DAVIS: Oh, yes.

11 MR. SIMMONS: So, you know, we have a
12 problem when it comes to these things, yes. I'm not
13 the only one.

14 MR. DAVIS: Oh, I know.

15 MR. SIMMONS: It's all the track walkers --

16 MR. DAVIS: Okay.

17 MR. SIMMONS: -- for real when it comes to -
18 - you can ask anyone about this --

19 MR. DAVIS: Well, this is the first day.
20 I'm going to be bringing them all in here soon.

21 MR. SIMMONS: Oh, yes, please, because, you
22 know, we're going to say the same thing when it comes
23 to that. And --

24 MR. DAVIS: Right.

25 MR. SIMMONS: -- a lot of them are scared

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1 to do it.

2 But I don't care. If I really see something
3 that's really serious about the train, that's going to
4 happen to this train, I'm going to restrict. At first
5 I'm going to restrict it first, then I'm going to call
6 a supervisor, because this is my job. And I don't want
7 nothing to happen out there.

8 You know, I'm here. This is my job to take
9 care of this railroad, to make sure this railroad is
10 safe while I'm out there. And I'm going to go ahead
11 and do that.

12 MR. DAVIS: Right.

13 MR. SIMMONS: You know, I got to.

14 MR. DAVIS: Sure, yes.

15 MR. SIMMONS: I'm getting paid for this --

16 MR. DAVIS: Absolutely.

17 MR. SIMMONS: -- you know. So that's the
18 way I am. And I don't care if they are upset with me
19 or whatever they're going to be with me. You know, it
20 doesn't matter.

21 MR. DAVIS: Mike Thomas is the same way with
22 you.

23 MR. SIMMONS: Oh, yes, me and Mike Thomas is
24 pretty good.

25 MR. DAVIS: Oh, okay.

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1 MR. SIMMONS: You know, I can talk to Mike.

2 MR. DAVIS: Oh, okay.

3 MR. SIMMONS: To be honest, I can talk to
4 Mike. And, as a matter of fact, he wants us to
5 restrict things. You know, we have talked to him
6 before.

7 MR. DAVIS: Okay.

8 MR. SIMMONS: And he actually wanted us to
9 put a red on the database, so like one tie --

10 MR. DAVIS: Right.

11 MR. SIMMONS: -- you know, that's
12 deteriorating. You know, it's actually the red. He
13 said you have to do that. But then, you know, he got
14 repercussions about doing that, you know, for us to do
15 that. So he told us to hold back on that --

16 MR. DAVIS: I see.

17 MR. SIMMONS: -- you see. So it's somewhere
18 in the system, in management, that they don't want
19 restrictions out there, you know, really.

20 This is crazy, because I don't know why that
21 is the situation, because, you know, we need to do
22 this. You know, they have a tight rein on us when it
23 comes to these --

24 MR. DAVIS: And they say just the opposite.
25 They say they're waiting, and you all ain't putting

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1 nothing down.

2 MR. SIMMONS: No, they are telling us not to
3 do that. And, matter of fact, I put in a restriction
4 yesterday, yes, yesterday, because of the broken joint
5 bar. You know, that's important, because if they
6 breaks and then the rail that pops loose and, hey, the
7 train is gone.

8 MR. DAVIS: Oh, yes.

9 MR. SIMMONS: You know, so, you know, I'm --
10 you know, I have critical thinking about that when it
11 comes to, like I say, anything unsafe on this railroad
12 I got to make sure is all right, you know. And I take
13 my job very seriously with this.

14 And I don't know what's going -- you know,
15 I'm not trying to tell or talk bad about the
16 supervisors. But --

17 MR. DAVIS: No, but we got to know what's
18 up.

19 MR. SIMMONS: -- track walkers, and now they
20 don't change is what they call supervisors.

21 MR. DAVIS: How about that?

22 MR. SIMMONS: You know, and even with this
23 diamond thing, you know, Mike Lovick and -- great, now
24 I can't think of his name right now. They went out
25 there and put gauge rods on. Did you know that?

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1 MR. DAVIS: Uh-uh.

2 MR. SIMMONS: They went out there right
3 before the --

4 MR. DAVIS: Derailment?

5 MR. SIMMONS: -- derailment. They put gauge
6 rods out there. They called management. And the
7 management came out there and put spikes, you know, on
8 the plates, you know.

9 MR. DAVIS: Okay.

10 MR. SIMMONS: There were new spikes out
11 there, I mean, you know, because when I went out there
12 to the derailment, I noticed that --

13 MR. DAVIS: Okay.

14 MR. SIMMONS: -- there was gauge rods out
15 there. So they knew about this going on, because, you
16 know, with me, with inspectors, it's been a month and a
17 half, so anything could happen in that time. So, you
18 know, with all the trains going through, you know,
19 there's at least 1,000 trains that went from track,
20 what is it, track 2 to track 1 --

21 MR. DAVIS: Okay.

22 MR. SIMMONS: -- wearing down that. And,
23 you know, we had the new train which is extra-heavy,
24 and that's really pushing things around. You know,
25 matter of fact, a lot of problems haven't happened

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1 until that train came through here because it's so
2 heavy. It's drawing more electricity, you know, like
3 with the burn, you know, the fires and all that.

4 MR. DAVIS: Yes.

5 MR. SIMMONS: That's my thought.

6 MR. DAVIS: I hear you.

7 MR. SIMMONS: You know, but in this, these
8 days, that's not been happening until that train --

9 MR. DAVIS: Okay.

10 MR. SIMMONS: -- coming on this railroad.
11 But -- Russell, Russell Scott (phonetic).

12 MR. DAVIS: Oh, Russell Scott. Okay.

13 MR. SIMMONS: They actually went out there
14 and put gauge rods on there, I think about four or five
15 gauge rods out there, before that derailment.

16 They called management. And management,
17 maintenance management, you know, they came out there.
18 The crew went out there and put spikes on there. And
19 now next thing you know, there's a derailment, you see.

20 So I don't know what's really going on. But
21 somebody knew about this, that --

22 MR. DAVIS: Right.

23 MR. SIMMONS: I'm not going to say they knew
24 about a wide gauge, but they knew something is going on
25 there, because they put a Band-Aid on it.

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1 MR. DAVIS: Yes.

2 MR. SIMMONS: And in this company, they do a
3 lot of that. You know, they put on Band-Aids.

4 And I'm frustrated because, you know, we
5 have a database of 20 pages of defects. And they need
6 to be fixed. And that's been for years like that. And
7 nothing has been done. You know, we will put stuff in
8 the database, and it gets overlooked. It's like they
9 pick and choose on what they want to fix.

10 MR. DAVIS: Yes.

11 MR. SIMMONS: Yes. You know, there's a lot
12 of things I've done. I've called a restriction over
13 there on the, at National Airport, on the aerial
14 structure where the fasteners are moving. You know,
15 that was caused from a wide gauge.

16 MR. DAVIS: Really?

17 MR. SIMMONS: I restrict that right away,
18 even though my partner didn't want to. He's scared of
19 putting in restrictions. And he was -- I was, I think,
20 a C at the time.

21 MR. DAVIS: Okay, okay.

22 MR. SIMMONS: He's (unintelligible). I'm
23 telling you the truth.

24 MR. DAVIS: He was that scared.

25 MR. SIMMONS: He's really scared. He's

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1 still scared now to do restrictions. And, you know, we
2 was a partner for a whole year. Matter of fact,
3 there's quite a few things when he was off I was
4 restricting, because these were restrictable incidents.

5 MR. DAVIS: Where is he working now?

6 MR. SIMMONS: He's over in Alex. He's over
7 in Alex. His name is Parker, Lynn Parker (phonetic).

8 MR. DAVIS: Oh, okay.

9 MR. SIMMONS: And I put in a lot of
10 restrictions when he was gone because it was necessary.
11 And, as a matter of fact, the maintenance manager said
12 you should have been putting these restrictions in.

13 I said, well, I'm new and I'm trying to
14 learn from others --

15 MR. DAVIS: Right.

16 MR. SIMMONS: -- you know, who's been out
17 here longer. And I'm finding myself knowing a little
18 bit more, because, you know, I actually had studied the
19 book. I haven't been studying like I -- because a lot
20 had been going on. But I had studied a lot there. I
21 know enough that I can go into this book to find these
22 restrictions right away --

23 MR. DAVIS: Okay.

24 MR. SIMMONS: -- you know, or these problems
25 that needs to be addressed, you know.

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1 But with this derailment, my opinion, I
2 think the train was going through too fast. But at the
3 same time, it caused the rail to spread open. And they
4 say it was a wide gauge of 60 inches. That's what I'm
5 hearing --

6 MR. DAVIS: Okay.

7 MR. SIMMONS: -- you know. And no way in
8 the world we're going to walk over a wide gauge of 60
9 inches, no way in the world that we wouldn't -- you
10 know, the way the weather has been and where the trains
11 been going through there, it could speed up the pace of
12 the ties that wear out even more, you know, because
13 coming through the -- matter of fact, I've been on the
14 train a couple times. These operators going through
15 this interlock around 30 miles an hour.

16 MR. DAVIS: Really?

17 MR. SIMMONS: Yes. It's supposed to be,
18 what, 10 or 15. They go through that interlock
19 bouncing around, cussing the zone (phonetic).

20 MR. DAVIS: No shit.

21 MR. SIMMONS: And, you know, sitting, you
22 know, riding, I said, yes, you know, they get scared.

23 MR. DAVIS: I'll bet. What -- you said --
24 oh, we were talking about these 15 ties --

25 MR. SIMMONS: Yes.

1 MR. DAVIS: -- out of maybe 40. That just
2 seems like a lot to me.

3 MR. SIMMONS: It's a lot. But they were
4 holding gauge and then not all deteriorated in a row --

5 MR. DAVIS: Okay.

6 MR. SIMMONS: -- you see, so I can't call in
7 a restriction when they're not deteriorated in a row.

8 MR. DAVIS: How long does it take? You were
9 saying the creosote dries out and they crack and stuff
10 like that. How long does that usually take?

11 MR. SIMMONS: Well, you see, you know, I'm
12 not going to estimate on --

13 MR. DAVIS: No.

14 MR. SIMMONS: -- how that is. But, you
15 know, I figure it would take around, what, about ten
16 years maybe --

17 MR. DAVIS: Yes.

18 MR. SIMMONS: -- you know. And these ties,
19 I believe them ties have been out there since, you
20 know, that area has been built, due to the fact, you
21 know, you can look at the frogs or the rail and see the
22 dates on them.

23 MR. DAVIS: Oh, yes.

24 MR. SIMMONS: You know, I think I've seen
25 the dates on 1980-something. You know, I have seen

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1 that. You know, so, you know, they've been out there
2 since the beginning, you know --

3 MR. DAVIS: But --

4 MR. SIMMONS: -- in that area.

5 MR. DAVIS: -- for the ties, when you walked
6 through in June, they were holding. And then here we
7 are in August --

8 MR. SIMMONS: Yes.

9 MR. DAVIS: -- or end of July --

10 MR. SIMMONS: End of July.

11 MR. DAVIS: -- and they've given up.

12 MR. SIMMONS: They've given up. But, see,
13 they're not used like they were used with the single
14 track. And they, to my understanding, they're supposed
15 to have someone out there inspecting this area before
16 they have the trains coming through. That didn't
17 happen.

18 MR. DAVIS: Okay.

19 MR. SIMMONS: You know, they didn't have
20 none of us come, you know, going out there and
21 inspecting this track --

22 MR. DAVIS: Okay.

23 MR. SIMMONS: -- you know. And it is a
24 funny thing. Mike Lovick called Central the day
25 before, that Thursday, and I think it, what, derailed

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1 Friday I believe.

2 MR. DAVIS: Friday.

3 MR. SIMMONS: That Thursday he called to say
4 we need to go out there and inspect this area. Central
5 told him no.

6 MR. DAVIS: Really?

7 MR. SIMMONS: Yes. He called them and
8 actually asked them can we go out there and inspect
9 this area. If we had been able to, more than likely we
10 would have found out that, you know, there's a lot of
11 movement in there.

12 MR. DAVIS: But you say they put gauge rods
13 in the day before.

14 MR. SIMMONS: Right. I'm not going to say
15 the day before.

16 MR. DAVIS: Oh.

17 MR. SIMMONS: Before the derailment, you
18 know. See, I don't know exactly what --

19 MR. DAVIS: Okay.

20 MR. SIMMONS: -- day it was. But it was in
21 a recent amount of time. You know what I mean? Like a
22 few days before.

23 MR. DAVIS: Sure.

24 MR. SIMMONS: You know, I don't know
25 exactly. You know, so --

1 MR. DAVIS: Okay.

2 MR. SIMMONS: -- you can't quote me on that.

3 MR. DAVIS: Okay, okay.

4 MR. SIMMONS: You know, this is what I'm
5 hearing by ear --

6 MR. DAVIS: Right.

7 MR. SIMMONS: -- you know. But, yes, oh,
8 and you know, you don't know this. I mean, I'm
9 serious. This is what's going on here. You know --

10 MR. DAVIS: No, I --

11 MR. SIMMONS: -- they cover a lot. They
12 cover up a lot.

13 MR. DAVIS: Yes, I didn't realize. I mean,
14 I heard they was maybe ducking some minor stuff. But -
15 -

16 MR. SIMMONS: Yes.

17 MR. DAVIS: -- now I'm hearing more about
18 what's going on --

19 MR. SIMMONS: They knew.

20 MR. DAVIS: That's why we're doing this,
21 too.

22 MR. SIMMONS: Right. They knew something
23 was going on with this track. See, we didn't know.

24 MR. DAVIS: Okay.

25 MR. SIMMONS: You know, I didn't know,

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1 because, you know, my walk is from, you know, K04 to --
2 I mean, K06, I'm sorry. It's K06 to --

3 MR. DAVIS: K08.

4 MR. SIMMONS: -- K08. So I'm not going to
5 be inspecting --

6 MR. DAVIS: Right.

7 MR. SIMMONS: -- that area. And we wasn't
8 able to inspect it, you know, that interlock that --
9 because, you know, we had the heat rise and the
10 SafeTrack came about. So we wasn't able to get into
11 that area for the month of July --

12 MR. DAVIS: Right.

13 MR. SIMMONS: -- you see, because that was
14 in the month of June that I --

15 MR. DAVIS: Right.

16 MR. SIMMONS: -- inspected that.

17 MR. DAVIS: Now, the 15 ties in June --

18 MR. SIMMONS: Yes.

19 MR. DAVIS: Now you find them deteriorating,
20 and then in August we end up with the derailment.

21 MR. SIMMONS: Yes.

22 MR. DAVIS: What do you think -- I mean, is
23 there -- I don't even know. Is there a timeframe that,
24 once they're deteriorating, they're just going to go
25 soon, or is it once they're deteriorating, you know,

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1 you got time?

2 MR. SIMMONS: You know, that's a hard
3 question.

4 MR. DAVIS: Is it?

5 MR. SIMMONS: Yes.

6 MR. DAVIS: Okay.

7 MR. SIMMONS: You know, because it can go at
8 any time. The reason I'm saying that, the way the
9 trains were going through there at that period of time,
10 what, a week and a half or something like that --

11 MR. DAVIS: Right.

12 MR. SIMMONS: Like I said, there were well
13 over 1,000 trains going through there at that time.
14 And I do believe that's the reason it caused this wide
15 gauge. You know, the wear and tear and the back and
16 forth, swinging back and forth, going through the
17 curve, and the spikes gave way, you know.

18 And actually, I went out there, and I saw
19 the spikes. There was a big hole, you know, a few
20 plates. There were big holes down there, you know,
21 where the spikes had worn out, you know. So it wore
22 out the whole -- so that's going to cause the gauge,
23 you know, to --

24 MR. DAVIS: So the spikes came out or --

25 MR. SIMMONS: I did see some. Yes, I did

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1 see some come out.

2 MR. DAVIS: Okay.

3 MR. SIMMONS: But then, some spike was
4 sticking up out of the hole, you know, on a angle. So,
5 you know, it got pushed.

6 MR. DAVIS: Okay.

7 MR. SIMMONS: You know, the spikes got
8 pushed out. The plates, the rail just pushed itself
9 open, you know.

10 MR. DAVIS: Okay.

11 MR. SIMMONS: So it just gave way, you know.
12 So, but when I inspected, it was still intact.

13 MR. DAVIS: Like if you found a
14 deteriorating tie on the main, say --

15 MR. SIMMONS: Yes.

16 MR. DAVIS: -- you walked that walk just
17 like we were talking about, 2 track heading towards
18 Ballston.

19 MR. SIMMONS: Yes.

20 MR. DAVIS: If you found a bunch of
21 deteriorating ties, you know, none in a row, but --

22 MR. SIMMONS: Yes.

23 MR. DAVIS: -- how long would it generally
24 take before they got ate up, because --

25 MR. SIMMONS: I can't give a time.

1 MR. DAVIS: -- back to 1,000 trains --

2 MR. SIMMONS: Right.

3 MR. DAVIS: -- because we're running over it
4 all day every day.

5 MR. SIMMONS: All day the same area, you
6 know, back and forth. This is going on back and forth.

7 MR. DAVIS: Right.

8 MR. SIMMONS: Where, you know, a train is
9 usually running one way. But it takes a while for a
10 tie to really wear out like that.

11 MR. DAVIS: Right. But, I mean, once you
12 reach --

13 MR. SIMMONS: It can take years.

14 MR. DAVIS: Once it reaches the
15 deteriorating stage?

16 MR. SIMMONS: Yes, that stage where they
17 become defective.

18 MR. DAVIS: Right.

19 MR. SIMMONS: But, see, it's just one tie.
20 You see, if it's many ties in a row, then -- you know,
21 I can't give you a time because --

22 MR. DAVIS: Okay.

23 MR. SIMMONS: -- I wouldn't know.

24 MR. DAVIS: No, I didn't know if there was a
25 --

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1 MR. SIMMONS: I haven't seen it.

2 MR. DAVIS: I didn't know if there was some
3 like, as soon as you see a deteriorating tie, you know
4 you got 60 days, 6 months, 1 year.

5 MR. SIMMONS: That's right.

6 MR. DAVIS: Or you just --

7 MR. SIMMONS: Right. You know, I couldn't
8 give you a time like that because I really wouldn't
9 know, because, you know, a lot of deteriorating ties
10 have been out there since the beginning of the track --

11 MR. DAVIS: Is that right?

12 MR. SIMMONS: -- you know, have never been
13 changed. Like this is a problem we have with this.
14 It's been there for a long time just, you know, getting
15 old.

16 MR. DAVIS: Okay, okay.

17 MR. SIMMONS: They're just getting old. So
18 --

19 MR. DAVIS: What do you have next on there?

20 MR. SIMMONS: 1/4 inch lateral movement at
21 chain marker 4440 (phonetic).

22 MR. DAVIS: Okay. All right.

23 MR. SIMMONS: Okay. Yes, that's been -- but
24 that was on, I believe, on the switch area of chain
25 marker 4440, I guess 3B or 3A, I mean, 3B or 1B, one of

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1 those areas. I didn't put exactly. But I do have some
2 here.

3 MR. DAVIS: Okay.

4 MR. SIMMONS: It wasn't in the diamond area
5 --

6 MR. DAVIS: Oh, okay.

7 MR. SIMMONS: -- because, you know, we can -
8 - we would actually say what's going on in that diamond
9 area, you know.

10 And actually, you know, there doesn't be a
11 whole lot that do happen in the diamond, because, like
12 I said, trains don't go through there that often. And
13 this just so happened that it did. And like I said, we
14 wasn't able to inspect it before --

15 MR. DAVIS: I see.

16 MR. SIMMONS: -- they ran them trains
17 through. And, matter of fact, I'm also -- you know,
18 this is word of mouth, you know. So, you know, it was
19 intended to fix the interlock, but they changed their
20 mind --

21 MR. DAVIS: Oh.

22 MR. SIMMONS: -- you know, during the
23 SafeTrack --

24 MR. DAVIS: Okay.

25 MR. SIMMONS: -- you know. And there's a

1 lot of interlock that do need to be fixed.

2 MR. DAVIS: Well, since Russell and Lovick
3 went out there -- what did you say? Scott is his last
4 name.

5 MR. SIMMONS: Yes, Russell Scott.

6 MR. DAVIS: Russell Scott and Lovick, I
7 don't even know his first name.

8 MR. SIMMONS: Yes, Mike Lovick.

9 MR. DAVIS: Mike, okay.

10 MR. SIMMONS: Yes, Mike Lovick.

11 MR. DAVIS: They went out and put some gauge
12 rods in --

13 MR. SIMMONS: Yes.

14 MR. DAVIS: -- a couple days before.

15 MR. SIMMONS: Yes.

16 MR. DAVIS: Did you see those gauge rods
17 when you were out there walking?

18 MR. SIMMONS: No, because I don't walk that
19 area, you see. That's K05.

20 MR. DAVIS: Okay.

21 MR. SIMMONS: You know, I start at K06. But
22 I did see them gauge rods when I went out on the
23 derailment.

24 MR. DAVIS: Okay, okay.

25 MR. SIMMONS: I did see --

1 MR. DAVIS: What about -- sorry.

2 MR. SIMMONS: Matter of fact, there is one
3 gauge rod out there right now.

4 MR. DAVIS: Is there?

5 MR. SIMMONS: Yes.

6 MR. DAVIS: But the interlock is out of
7 service, isn't it, or is it in service?

8 MR. SIMMONS: Well, you know, the track is
9 in service, 1 and 2. But, yes, the interlocking, so
10 the diamond is out of service, you know, and they had
11 to switch to normal, clamp to normal.

12 MR. DAVIS: Okay.

13 MR. SIMMONS: Yes.

14 MR. DAVIS: So you didn't have to put any
15 extra gauge rods in.

16 MR. SIMMONS: No.

17 MR. DAVIS: Okay.

18 MR. SIMMONS: No. Matter of fact, I didn't
19 have to put in any gauge rods at all, because, you
20 know, at the time I was there, nothing was going on
21 like that.

22 MR. DAVIS: I see.

23 MR. SIMMONS: You see, nothing at all.
24 There were no indication of, I can say, the plates
25 moving back and forth like that --

1 MR. DAVIS: Now --

2 MR. SIMMONS: -- the way I saw it, you know,
3 the way --

4 MR. DAVIS: What switch is that you have
5 there on that one, 1A?

6 MR. SIMMONS: No, I was saying I have --

7 MR. DAVIS: Here, this is 1A here.

8 MR. SIMMONS: Okay. Oh, yes, 1A. Okay.

9 MR. DAVIS: 2014.

10 MR. SIMMONS: 2014, yes. And the same thing
11 is going on.

12 MR. DAVIS: Did you have to install a gauge
13 rod back then?

14 MR. SIMMONS: No, no. They're not, you
15 know, even though -- no, no, everything was fine back
16 then. You know, but I can't recall, you know, doing it
17 at that time --

18 MR. DAVIS: Okay.

19 MR. SIMMONS: -- because it's so, you know -
20 -

21 MR. DAVIS: A little while ago.

22 MR. SIMMONS: A little while ago.

23 MR. DAVIS: Okay.

24 MR. SIMMONS: And --

25 MR. DAVIS: But you had 15 ties bad there.

1 MR. SIMMONS: Yes, yes, still the same ties.
2 But it takes a while for them to just crumble up --

3 MR. DAVIS: Okay.

4 MR. SIMMONS: -- and not be workable or
5 effective, doing their job. That's what they say,
6 their doing their job.

7 MR. DAVIS: All right.

8 MR. SIMMONS: Yes.

9 MR. DAVIS: So you can't remember if you did
10 in '14 put a gauge rod in. But you know you didn't put
11 one in in June, right?

12 MR. SIMMONS: Right, in June.

13 MR. DAVIS: All right. Because here, just
14 help me out.

15 MR. SIMMONS: Okay. Okay. Like I said, I
16 don't remember.

17 MR. DAVIS: Installing one gauge rod.

18 MR. SIMMONS: Yes, no, not at all.

19 MR. DAVIS: All right. Tell me about June.

20 MR. SIMMONS: Yes, like I said, I didn't see
21 a gauge rod in there. That's why there's no gauge rod
22 there. So someone probably took the gauge rod out.
23 And, who knows, maybe they fixed something. I'm not
24 sure.

25 MR. DAVIS: What -- they did say in that

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1 left column --

2 MR. SIMMONS: Oh, okay. I'm sorry. Yes, so
3 the gauge rods were still there. Yes, and you know
4 what, and that's probably that same gauge rod that's
5 there now, to be honest. Switch 1A, I got to think
6 about where it is.

7 MR. DAVIS: Mr. Simmons --

8 MR. SIMMONS: Yes, sir.

9 MR. DAVIS: -- 2014 says you install one
10 gauge rod. Okay. You told me you couldn't remember.
11 I'll give you that.

12 MR. SIMMONS: Yes.

13 MR. DAVIS: 2016 says you install one gauge
14 rod. You told me you didn't install any gauge rods.

15 MR. SIMMONS: Right. Well, what's
16 happening, this --

17 MR. DAVIS: These look awful damn the same.

18 MR. SIMMONS: Yes, that's what's happening.
19 It never was taken off that the gauge rod was
20 installed.

21 MR. DAVIS: Never taken off of what?

22 MR. SIMMONS: Off the form, off the switch
23 form.

24 MR. DAVIS: You fill these out brand-new
25 every time, right?

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1 MR. SIMMONS: Yes, but we also copy them, to
2 be honest with you.

3 MR. DAVIS: Now we're talking.

4 MR. SIMMONS: Yes.

5 MR. DAVIS: Okay.

6 MR. SIMMONS: Yes, I'm not here to lie to
7 you.

8 MR. DAVIS: I appreciate that. And I --

9 MR. SIMMONS: I'm telling you the truth.

10 MR. DAVIS: -- take that very clear, and I
11 appreciate you --

12 MR. SIMMONS: You know.

13 MR. DAVIS: That's -- I just wanted to make
14 sure --

15 MR. SIMMONS: Yes.

16 MR. DAVIS: -- that I asked you the question
17 first, and then we looked at this together.

18 MR. SIMMONS: Yes.

19 MR. DAVIS: I can look all the way back to
20 2013.

21 MR. SIMMONS: Okay.

22 MR. DAVIS: Switch 1A says the same thing.

23 MR. SIMMONS: Same thing, right. You know,
24 I don't want to tell you that. You know, I'm not here
25 to lie to you.

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1 MR. DAVIS: I hear you.

2 MR. SIMMONS: I'm here to tell you the
3 truth.

4 MR. DAVIS: So since every one of these
5 measurements for the last four years are the exact
6 same, every one of the 15 ties is the exact same since
7 the last four years --

8 MR. SIMMONS: Yes.

9 MR. DAVIS: -- the head checking, the gauge
10 rod install, a loose house top bolt --

11 MR. SIMMONS: Yes, sir.

12 MR. DAVIS: -- all the same.

13 MR. SIMMONS: Now, you know --

14 MR. DAVIS: All the measurements exactly the
15 same.

16 MR. SIMMONS: This is what we do with the
17 measurements.

18 MR. DAVIS: Okay.

19 MR. SIMMONS: You know, we check the
20 measurements. And if it's 1/16 off, we don't change
21 it. You know, now that's something that a supervisor
22 tells us. Say, from 1/16 to 1/8 off, we don't change
23 it, not at all. So that's why we keep the measurements
24 the same as they are, because they just haven't been
25 off no more than that.

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1 MR. DAVIS: When I went out there, you know,
2 two switches were messed up when that train went
3 through there, when it derailed.

4 MR. SIMMONS: Yes, yes.

5 MR. DAVIS: The other two switches weren't
6 hurt.

7 MR. SIMMONS: Yes.

8 MR. DAVIS: I went out and measured those
9 two switches and put them up against this piece of
10 paper. Not even close.

11 MR. SIMMONS: They weren't close? Yes.

12 MR. DAVIS: See what I'm saying?

13 MR. SIMMONS: Yes, I understand what you're
14 saying.

15 MR. DAVIS: So why are we just keep copying
16 them and handing them in, signing them and handing them
17 in? I mean, do they tell you, or do you just do it?

18 MR. SIMMONS: Both.

19 MR. DAVIS: Both.

20 MR. SIMMONS: Yes, both. Like I say, we go
21 out there and measure. And if it's not off by 1/16 or
22 1/8, we don't change it. That's what they --

23 MR. DAVIS: So --

24 MR. SIMMONS: -- preach to us.

25 MR. DAVIS: I should have a video tomorrow

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1 from the police department.

2 MR. SIMMONS: Yes.

3 MR. DAVIS: And it sits on the end of that
4 building out there, the tracks and power substation.

5 MR. SIMMONS: Yes.

6 MR. DAVIS: And I can see the interlocking
7 nice and clear. So when I pull up June , what the hell
8 is it, oh, June 17th --

9 MR. SIMMONS: 17th.

10 MR. DAVIS: -- and I'm going to watch the
11 video, and I'm going to see Mr. Simmons, Mr. Bellame
12 (phonetic), and Mr. Wells (phonetic) out there gauge
13 rodding or putting a gauge down.

14 MR. SIMMONS: Yes.

15 MR. DAVIS: Okay. All right.

16 MR. SIMMONS: Yes, we'll see, not in all the
17 areas, but we do have a gauge out there.

18 MR. DAVIS: Okay. How many areas did we put
19 it down normally?

20 MR. SIMMONS: If it was normal, maybe one or
21 two, yes, if it was normal.

22 MR. DAVIS: Okay. The thing that concerns
23 me is, one, 15 ties goes all the way back to 2013. So
24 I know that interlocking has sucked. I walked it
25 myself.

1 MR. SIMMONS: Yes, it's bad. It is bad. It
2 was a bad interlocking, yes.

3 MR. DAVIS: Why, as a track inspector, do
4 you not want to do the right thing and protect that
5 area --

6 MR. SIMMONS: Yes.

7 MR. DAVIS: -- and either take it out of
8 service or put a restriction down?

9 MR. SIMMONS: Like I was saying before,
10 because everything was doing its job. All the plates,
11 all the spike, nothing was not holding. That's why we
12 never put any restriction.

13 MR. DAVIS: I reported inch-and-a-half side
14 wear, side movement, on May, middle of May, May 17th or
15 something like that, when I walked through there. And
16 I gave it to Mr. Scott, because he was with me.

17 MR. SIMMONS: Yes.

18 MR. DAVIS: And I reported that the ties
19 were beyond holding anything. On the 7th of July,
20 maintenance went out to do the work that was supposedly
21 from our track walk.

22 MR. SIMMONS: Yes.

23 MR. DAVIS: And they just decided to put
24 some cut spikes in there. And they're putting them in
25 mush.

1 MR. SIMMONS: They're mush? Oh, okay.

2 MR. DAVIS: So nothing held. They were
3 supposed to replace tops.

4 MR. SIMMONS: Okay.

5 MR. DAVIS: They didn't feel like it that
6 day.

7 MR. SIMMONS: Okay.

8 MR. DAVIS: So they went out and put a
9 couple spikes in and said it'll hold.

10 MR. SIMMONS: It was mush, wow.

11 MR. DAVIS: But then you come after me in
12 June --

13 MR. SIMMONS: Yes.

14 MR. DAVIS: -- and now you're telling me
15 that all of a sudden it was holding.

16 MR. SIMMONS: Yes.

17 MR. DAVIS: I have a hard time knowing that
18 I was there in May, you were there in June, and they
19 were there in July, and we derailed in August.

20 MR. SIMMONS: Right, I understand what
21 you're saying. But, yes, I've seen -- you know, I
22 didn't see anything where it would cause a train to
23 derail. And that part, I am telling the truth.

24 MR. DAVIS: We had 3-1/2 inches of movement.
25 You saw it. Those spikes cut like butter right through

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1 those ties.

2 MR. SIMMONS: I didn't know the ties were
3 that bad on the inside, to be honest. You know, I'm
4 just looking on the top of them. You know, I can't
5 tell what's on the inside of the tie.

6 MR. DAVIS: We need you looking. You know
7 what I'm saying?

8 MR. SIMMONS: Yes, sir.

9 MR. DAVIS: We have gotten to a place where
10 we're just getting by. You know what I'm saying? And
11 some of this being brought up about supervision is a
12 damn shame too. And I just -- there's going to be some
13 people going away. And that's why I'm looking for you
14 to be honest with me because --

15 MR. SIMMONS: Yes.

16 MR. DAVIS: -- like I say, we're pulling all
17 the videos every day, every day of every month that it
18 was inspected in '16, '15, '14, and '13.

19 MR. SIMMONS: Okay.

20 MR. DAVIS: We got five years of video or
21 six years of video the MTPD has. And that camera has
22 been there that long.

23 MR. SIMMONS: Yes.

24 MR. DAVIS: So we're going to be able to
25 find that people, one, didn't even go out there --

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1 MR. SIMMONS: Okay.

2 MR. DAVIS: -- and then turn in a sheet that
3 day.

4 MR. SIMMONS: Oh, I've been out there.
5 That's for sure.

6 MR. DAVIS: I hear you. I hear you. But
7 I'm just telling you --

8 MR. SIMMONS: Yes.

9 MR. DAVIS: -- what we're finding in this
10 investigation.

11 MR. SIMMONS: Oh, okay.

12 MR. DAVIS: I got video of stations, people
13 calling I'm at Smithsonian --

14 MR. SIMMONS: Yes.

15 MR. DAVIS: -- ready to go to Archives,
16 Central, okay, now people between Smithsonian and
17 Archives. And I watch the camera for a hour, and then
18 I hear them calling Archives --

19 MR. SIMMONS: To that station.

20 MR. DAVIS: -- and they ain't never showed
21 up nowhere.

22 MR. SIMMONS: I believe that also. I heard
23 --

24 MR. DAVIS: So this is what this has gotten
25 to.

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1 MR. SIMMONS: I understand.

2 MR. DAVIS: And a lot of people that should
3 be good people, a lot of people that got a great job
4 are going to lose that job. And, you know, it's --
5 we're in a bad way.

6 And that's why I appreciate you, you know,
7 being honest when I asked you about the gauge rod. But
8 up until that point, you weren't telling me the whole
9 thing.

10 MR. SIMMONS: Well, it wasn't like I was
11 disguising it. It's just that I didn't tell you,
12 because I was going to tell you that, you know, what
13 we're doing. We're actually using the previous
14 month's.

15 MR. DAVIS: Same one.

16 MR. SIMMONS: Yes. And we are inspecting.
17 But if nothing changed, we don't change anything on the
18 form.

19 MR. DAVIS: Well, I've been told that you're
20 -- you can even see the Wite-Out on your form. You
21 know what I'm saying? You can see the Wite-Out. And
22 what I've been told is that you go out there and you
23 just, you look at it.

24 MR. SIMMONS: We do that also.

25 MR. DAVIS: And then get on your way.

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1 MR. SIMMONS: We do that also.

2 MR. DAVIS: Okay.

3 MR. SIMMONS: Because what's happening with
4 that also, we went out to inspect at K05 today. It
5 took us -- we started, went out at 10:30, a quarter --

6 MR. DAVIS: Minute and a half.

7 MR. SIMMONS: A minute and a half?

8 MR. DAVIS: It took you that long to do the
9 real inspection.

10 MR. SIMMONS: A minute and a half?

11 MR. DAVIS: I mean, a long minute --

12 MR. SIMMONS: Oh, no, it actually took us
13 from --

14 MR. DAVIS: No, but what I'm saying is --

15 MR. SIMMONS: -- 10:30 to 1:30.

16 MR. DAVIS: -- to do it right, to do it
17 right --

18 MR. SIMMONS: Yes, to do it right and --

19 MR. DAVIS: There you go. That's what I
20 mean.

21 MR. SIMMONS: So we are under pressure to do
22 six, eight switches, you know, at a time, even, you
23 know, interlocks. They are pressuring us to do these.

24 MR. DAVIS: Six interlockings?

25 MR. SIMMONS: Yes. We have -- yes, matter

1 of fact, yes, yes. We have pressure to do that many in
2 one day.

3 MR. DAVIS: What do you know about Russell
4 and Lovick going out there and putting these gauge rods
5 in? And what do you know about, did they really try to
6 go out there and they wouldn't let them out there? I
7 mean, I'm hearing --

8 MR. SIMMONS: Word of mouth, word of mouth.

9 MR. DAVIS: Right.

10 MR. SIMMONS: Matter of fact, you know,
11 Lovick -- well, one of them workers was with him, you
12 know, track walkers were with him when he called
13 Central about that.

14 The other part was the word of mouth that
15 they admitted that they went out there and they put
16 these gauge rods out there, you know.

17 MR. DAVIS: Okay.

18 MR. SIMMONS: They admit that. That was, I
19 guess, last week. So, you know, I'm just finding that
20 out, yes. But --

21 MR. DAVIS: But if these guys are pressuring
22 you all --

23 MR. SIMMONS: Yes.

24 MR. DAVIS: -- because you're not the first
25 one to tell me, and if these two guys are going out

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1 there and doing this half-ass stuff --

2 MR. SIMMONS: Well, they're not the only
3 ones, you know. Well, some supervisors don't even go
4 out there, to be honest.

5 MR. DAVIS: Right.

6 MR. SIMMONS: But, yes, we are pressured to
7 do these switches all throughout the system, you know.
8 So we are cutting corners.

9 MR. DAVIS: So today when you did K05
10 properly --

11 MR. SIMMONS: Yes.

12 MR. DAVIS: -- that's only one, or is that
13 four switches you got?

14 MR. SIMMONS: That's four switches.

15 MR. DAVIS: Okay. So you got four done
16 today, but it took you a minute, like a --

17 MR. SIMMONS: Yes, yes. It takes a long
18 time --

19 MR. DAVIS: Yes.

20 MR. SIMMONS: -- to do these switches, you
21 know. And they're pressuring us to do many switches in
22 one day. So that's what we up against.

23 MR. DAVIS: And I need to -- you know,
24 that's what I need to know.

25 MR. SIMMONS: Yes, that's what's happening

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1 with us. We are pressured. Me, I walk my walks. So
2 you could look back, and you're going to see me out
3 there.

4 MR. DAVIS: Okay.

5 MR. SIMMONS: And I do know people that
6 don't like to walk, you know. That's why I have a
7 partner. You know, I picked my partner I have now,
8 which is the gentleman outside now. And he has no
9 problem walking either. So that's what we do. We're
10 out there inspecting every day --

11 MR. DAVIS: Okay.

12 MR. SIMMONS: -- you know.

13 MR. DAVIS: You both Level 4s?

14 MR. SIMMONS: Yes, we both Level 4s.

15 MR. DAVIS: So you can split it up.

16 MR. SIMMONS: Yes, we can split up, I mean,
17 split it up, you know.

18 But, yes, I'm not too crazy about a lot of
19 the guys because they don't like to walk. And then,
20 they, like I say, call on, but they're not in that
21 area. And I don't want to be bothered with that. I
22 don't want to be caught in the middle of this stuff.

23 MR. DAVIS: All right. You are.

24 MR. SIMMONS: Yes, when it comes to this.

25 MR. DAVIS: Yes.

1 MR. SIMMONS: Because --

2 MR. DAVIS: Because that --

3 MR. SIMMONS: Yes.

4 MR. DAVIS: -- that monthly switch
5 inspection has your signature on it.

6 MR. SIMMONS: That's right.

7 MR. DAVIS: And what did I say earlier about
8 now that we're over being taken by the FTA oversight --

9 MR. SIMMONS: Yes.

10 MR. DAVIS: -- that's a federal document.

11 MR. SIMMONS: Yes.

12 MR. DAVIS: You know?

13 MR. SIMMONS: Yes.

14 MR. DAVIS: So, like you said, you want to
15 do a good job and do it right. And, you know, you
16 sound like you understand what your job is.

17 MR. SIMMONS: Yes, sir.

18 MR. DAVIS: And you know what to look for
19 and those type of things. And now something like this
20 could take you out in a second, in a blink of an eye.

21 MR. SIMMONS: Yes.

22 MR. DAVIS: So are we just, all the
23 interlockings we just copying and going, or what are we
24 doing?

25 MR. SIMMONS: That is the practice. But,

1 like I said, we are checking them, you know. But --

2 MR. DAVIS: Just going out and looking at
3 them. We ain't really gauging them.

4 MR. SIMMONS: No, there's times we do gauge,
5 you know, not all the time.

6 MR. DAVIS: Okay.

7 MR. SIMMONS: I'm being honest.

8 MR. DAVIS: I know. That's why I'm glad to
9 hear that.

10 MR. SIMMONS: You know, we're out there
11 checking them. And we're out -- and sometimes we're
12 not out there checking. We're just going through,
13 because we got to finish so many --

14 MR. DAVIS: Right.

15 MR. SIMMONS: -- in one day. And that's
16 what's going on.

17 MR. DAVIS: So what would they expect you,
18 if this was you, like this day --

19 MR. SIMMONS: Yes.

20 MR. DAVIS: -- what all switches did you
21 inspect that day, just K05 or --

22 MR. SIMMONS: No, I think I inspected some
23 other switches. Oh, boy, I can't recall what switches,
24 all the switches I inspected that day. It was three of
25 us that day.

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1 MR. DAVIS: But now, other guys is telling
2 me you go get a sandwich or something. You come back
3 to the yard, and then you sign off on, you know, ten
4 switches. One of them told me 12 switches.

5 MR. SIMMONS: No, we all were out there.

6 MR. DAVIS: Three interlockings.

7 MR. SIMMONS: Yes, but we're just, we all
8 three were out there.

9 MR. DAVIS: I hear you. I hear you.

10 MR. SIMMONS: Yes, that's for sure. But,
11 like I said, that is happening, you know. But not with
12 this one --

13 MR. DAVIS: Okay.

14 MR. SIMMONS: -- you know. And, matter of
15 fact, no, when I go out there, I go out there, you
16 know. Like I say, I'm not gauging all the time.

17 MR. DAVIS: I got you.

18 MR. SIMMONS: But I am out there looking at
19 these interlocks, you know, because it is critical.

20 MR. DAVIS: Well, you missed this one,
21 because those ties were --

22 MR. SIMMONS: Yes, they're bad ties. Yes, I
23 know about the ties were bad, you know. I do know
24 that.

25 MR. DAVIS: Yes.

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1 MR. SIMMONS: And honestly, I do think they
2 were holding, you know, because if they -- if I had
3 known -- how can I say? If I had known they were so
4 bad on the inside like that, I would try to do
5 something different. I'm not going to say I was going
6 to restrict them. But I would have addressed it with
7 the supervisor, you know, to a supervisor about what's
8 going on with it.

9 MR. DAVIS: There's a good point. What if
10 you go to a supervisor this day and say, hey man, that
11 thing, I got to take it out of service?

12 MR. SIMMONS: Now, you know, that's when I
13 go to Mike Thomas, you know, in that situation.

14 MR. DAVIS: Okay.

15 MR. SIMMONS: Like I say, I've been to him
16 before. He's a good guy. You know, I talk to him.

17 MR. DAVIS: Well, you got to have people in
18 management that you can talk to.

19 MR. SIMMONS: Yes.

20 MR. DAVIS: And it should be the supervisor.
21 It should be the assistant superintendent. It should
22 be right up the line. But for you to have to go
23 through two different levels to get to a guy that you
24 can talk to --

25 MR. SIMMONS: Right.

1 MR. DAVIS: -- that's not good on our part,
2 WMATA's part.

3 MR. SIMMONS: Yes. And, you know, to be
4 honest, this is the way they taught us. It's not
5 something that, you know, we acquired the habit.

6 MR. DAVIS: That's like everybody --

7 MR. SIMMONS: They were doing it before I
8 got here.

9 MR. DAVIS: Why won't you inspect the damn
10 tracks because they're main tracks? And then everybody
11 I ask said, no, no, no, they're part of the switch
12 inspection.

13 MR. SIMMONS: Yes.

14 MR. DAVIS: Somewhere along the line
15 somebody changed that. It wasn't always that way.

16 MR. SIMMONS: Right, somewhere along the --

17 MR. DAVIS: But like you said --

18 MR. SIMMONS: Yes.

19 MR. DAVIS: -- somebody trains you, you
20 train me, I train him --

21 MR. SIMMONS: Yes.

22 MR. DAVIS: -- and now we're all making
23 copies the same damn way.

24 MR. SIMMONS: That's right.

25 MR. DAVIS: So this is what we need. We

1 need to grab a hold of this thing and get it back to
2 where it needs to be. You know what I'm saying?

3 MR. SIMMONS: I understand exactly what
4 you're saying.

5 MR. DAVIS: So in this instance, in this
6 case, unfortunately it led to a derailment, but maybe
7 fortunately, because now it's people going away.

8 MR. SIMMONS: Yes, that part I hate to see.

9 MR. DAVIS: I'm with you. But --

10 MR. SIMMONS: You know --

11 MR. DAVIS: -- if they going to make
12 pressure on you to do what you shouldn't be doing --

13 MR. SIMMONS: Yes.

14 MR. DAVIS: -- and then you're afraid of
15 what may come of it, I don't feel bad for them. We all
16 need to -- we got a damn good paycheck here.

17 MR. SIMMONS: Yes, yes. You know, that's
18 why I want to keep on working with WMATA.

19 MR. DAVIS: Right.

20 MR. SIMMONS: And there are times where I do
21 worry about what's going on here. And like I said, I
22 have some emails with things, you know, that I have
23 addressed, and it still needs to be addressed.

24 MR. DAVIS: You got Mike Thomas. And if you
25 got the confidence in him --

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1 MR. SIMMONS: Yes.

2 MR. DAVIS: -- then you need to start
3 addressing that stuff.

4 MR. SIMMONS: Yes.

5 MR. DAVIS: Because, you know, I think he'll
6 do it, you know. I don't work for Mike. I haven't
7 worked for Mike.

8 MR. SIMMONS: Yes.

9 MR. DAVIS: But, at the same token, he seems
10 pretty straight up to me.

11 MR. SIMMONS: Yes.

12 MR. DAVIS: And, you know, if you have that
13 relationship, I encourage you. If not, I'll be glad to
14 step in any time.

15 MR. SIMMONS: I understand. Yes, I can talk
16 to Mike Thomas.

17 MR. DAVIS: Okay.

18 MR. SIMMONS: You know, for real, because I
19 have talked to him before.

20 MR. DAVIS: What's up with Elijah
21 (phonetic)? Is he same as you, willing to talk about
22 what's going on or --

23 MR. SIMMONS: Oh, yes, most definitely.

24 MR. DAVIS: Okay.

25 MR. SIMMONS: I ain't going to say he's more

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1 wide open than me in these things, but, yes, we're
2 going to tell you what's really going on, you know.
3 And, like I say, he's a good guy.

4 We are out there looking at these defections
5 in, you know, the track. And we are finding a lot of
6 problems. You know, we're calling in restrictions.
7 We're getting these jobs done.

8 MR. DAVIS: Are you getting any pushback
9 when you call in a restriction?

10 MR. SIMMONS: Not --

11 MR. DAVIS: Like yesterday I saw your damn
12 restriction disappeared pretty quick.

13 MR. SIMMONS: Oh, it -- what do you mean?

14 MR. DAVIS: Your -- when you put in for the
15 IJ (phonetic).

16 MR. SIMMONS: For the broken joint, yes,
17 broken joint bar.

18 MR. DAVIS: Joint bar.

19 MR. SIMMONS: The joint bar --

20 MR. DAVIS: Okay. But did they get it
21 fixed, or did they --

22 MR. SIMMONS: Yes, they fixed it. Right.
23 So, yes, I guess it would go then, because, you know --

24 MR. DAVIS: Sure.

25 MR. SIMMONS: -- we wait for them to come

1 and -- you know, we're not going to walk away from
2 something like that, because if it breaks, then the
3 trains come off.

4 I mean, well, you know, one side broke. But
5 the other side will break, because, you know, once one
6 break then, you know, it's gone. But that happens, you
7 know, a lot out there. Okay.

8 MR. DAVIS: What would you say the
9 percentage of guys that are doing that, calling and not
10 walking? You know, what would you say that percentage
11 is?

12 MR. SIMMONS: Oh, my gracious.

13 MR. DAVIS: Yes, I know. I hear you.

14 MR. SIMMONS: You know, I'm telling on my
15 coworkers.

16 MR. DAVIS: Well, you ain't telling on
17 nobody because --

18 MR. SIMMONS: Right. It's out there.

19 MR. DAVIS: -- it ain't like that. It's
20 just, we got to get it reined in. That's all. You
21 know what I'm saying?

22 MR. SIMMONS: Man, I'm --

23 MR. DAVIS: And if I can walk up to somebody
24 and say I know what's up --

25 MR. SIMMONS: Yes.

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1 MR. DAVIS: -- then I'm going to -- I'd
2 rather do that.

3 MR. SIMMONS: Right.

4 MR. DAVIS: You know what I'm saying?

5 MR. SIMMONS: Right, right, right.

6 MR. DAVIS: Because here I tracked a bunch
7 of your boys --

8 MR. SIMMONS: Yes, I'd say at least 50
9 percent.

10 MR. DAVIS: Yes, I think so. That's what I
11 was figuring, too.

12 MR. SIMMONS: Yes, at least 50 percent.

13 MR. DAVIS: Yes. So, you know, we need to
14 get it in. But if you all don't feel comfortable that
15 you can talk to your -- yes, 6449, 6292.

16 MR. SIMMONS: 6449, that's Murray
17 (phonetic), I believe.

18 MR. DAVIS: Oh, I'm sorry. Oh, that's 6131,
19 but he was at Grodin (phonetic).

20 MR. SIMMONS: 6131? I don't know that one.

21 MR. DAVIS: Yes. So, like I said, I
22 listened to the tapes, and then I went and got the
23 films from the MTPD. And they ain't never show up in
24 the station.

25 MR. SIMMONS: They don't show up.

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1 MR. DAVIS: Any of them. So --

2 MR. SIMMONS: Oh, all of those?

3 MR. DAVIS: Yes.

4 MR. SIMMONS: Wow. Yes, it happens. I'm
5 going to tell you the truth. When I first started,
6 there's a gentleman, he's not -- he's sick now over on
7 Branch Avenue. He called on --

8 MR. DAVIS: Right.

9 MR. SIMMONS: -- and, you know, the one time
10 it happened to me, he had me called on, he's gone. I'm
11 going down to station to station. I'm still there, not
12 walking, but, you know, I'm still going to station to
13 station. But he's gone. And I told my supervisor, I
14 said, look, take me away from him. You know, I want my
15 job, you know. Man, this is bad.

16 MR. DAVIS: What's his name, Pitts
17 (phonetic)? No --

18 MR. SIMMONS: Well, Pitts is at Branch
19 Avenue now.

20 MR. DAVIS: Currently he's on six months,
21 not probation. What do they call that shit? Review.

22 MR. SIMMONS: Oh, really?

23 MR. DAVIS: He's under review, because we
24 just went over there and found out --

25 MR. SIMMONS: Them guys not walking.

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1 MR. DAVIS: Well, he ain't walking.

2 MR. SIMMONS: Oh, yes, he's not --

3 MR. DAVIS: They ask him for his help.

4 MR. SIMMONS: Yes.

5 MR. DAVIS: Some young boys.

6 MR. SIMMONS: Yes. Oh, yes, I know about
7 Pitts. He walked Tysons Corner, you know, at
8 Greensboro.

9 MR. DAVIS: Okay.

10 MR. SIMMONS: Takes about 15, 20 minutes.
11 He couldn't walk for ten minutes in the time. He --

12 MR. DAVIS: And that's a nice, easy walk.

13 MR. SIMMONS: He's unhealthy, yes. I'm not
14 trying to put things out there. But I'm telling you
15 what's going on.

16 MR. DAVIS: I understand. And I ain't going
17 to put you out there like that either. But --

18 MR. SIMMONS: You know, but me and Lottie
19 (phonetic) do walk. You can see. You know, you can
20 run tapes on us all the time.

21 MR. DAVIS: Yes, and that's what -- right
22 now we're pulling a lot of that stuff.

23 MR. SIMMONS: Yes.

24 MR. DAVIS: And people are going to go away.
25 You know what I'm saying?

1 MR. SIMMONS: I understand.

2 MR. DAVIS: And I don't want to see anybody
3 lose their job. But, at the same token, we got to do
4 what's right.

5 MR. SIMMONS: Yes.

6 MR. DAVIS: Our fricking tracks are in shit
7 condition. And we're not -- you know, we rely on you
8 guys 100 damn percent.

9 MR. SIMMONS: Well, you know, I know how
10 you're feeling because I was frustrated. I'm not as
11 frustrated anymore because I got a partner with me.

12 MR. DAVIS: That's good.

13 MR. SIMMONS: But I was frustrated with
14 these situations because these guys won't thoroughly do
15 the job, you know. And --

16 MR. DAVIS: Well, I can't understand why the
17 supervisors don't want to do the job. That's the part
18 that I don't understand.

19 MR. SIMMONS: I don't know. I mean, I can't
20 answer. I'm trying to answer what's going on with me.

21 MR. DAVIS: No, I hear you. But that's -- I
22 can't --

23 MR. SIMMONS: You know.

24 MR. DAVIS: -- get it in my head for
25 nothing. I mean, I've asked a couple people. But it

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1 just doesn't make sense.

2 MR. SIMMONS: Yes, and, yes, the
3 supervisors, I guess they take their own, on their own,
4 and they want to do things their way. And that's the
5 way it's supposed to be, you know.

6 MR. DAVIS: You couldn't tell me for one
7 second that Mike Thomas wants them to cover up speed
8 restrictions and shit.

9 MR. SIMMONS: Oh, no, right.

10 MR. DAVIS: Right. But that's what they
11 say, they're being pressured, supposedly supervisor are
12 saying.

13 MR. SIMMONS: Yes.

14 MR. DAVIS: Where?

15 MR. SIMMONS: Yes.

16 MR. DAVIS: Where?

17 MR. SIMMONS: It's bad.

18 MR. DAVIS: Yes.

19 MR. SIMMONS: Like I say, I'm trying to
20 restrict this one area over there at track 2, I think,
21 a little further down, 564. There's low ballast. And
22 they're saying, okay, there's no movement there. But
23 still it's a restriction. And --

24 MR. DAVIS: That's before the break.

25 MR. SIMMONS: You know, right after, you

1 know, K06.

2 MR. DAVIS: Yes, right after K06, yes.

3 MR. SIMMONS: Yes --

4 MR. DAVIS: Before Dunn Loring, yes.

5 MR. SIMMONS: Yes, it's way before Dunn
6 Loring. It's way before. It's going up the hill.

7 MR. DAVIS: Right, going up the hill.

8 MR. SIMMONS: Yes, right there is low
9 ballast really bad. And I keep telling them, hey,
10 look, man, I need to restrict this. They say hold on,
11 hold on, hold on, you know. And that's what I'm
12 getting.

13 MR. DAVIS: But where -- how do they justify
14 it to you?

15 MR. SIMMONS: Well, they say, you know,
16 we're going to have the maintenance manager, you know,
17 schedule to put ballasts out there. And this has been
18 going on since, oh, boy -- Pitts is part of it too.

19 MR. DAVIS: Yes.

20 MR. SIMMONS: Couldn't wait till January,
21 because -- when we got the K Line, you know, Dulles, we
22 just acquired a K Line, because we were just working
23 on, walking on the N Line.

24 MR. DAVIS: Oh, okay.

25 MR. SIMMONS: So we just acquired a K Line.

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1 And --

2 MR. DAVIS: But now, he tells you to hold up
3 for the maintenance manager.

4 MR. SIMMONS: Right.

5 MR. DAVIS: And now, I've walked on D rail
6 today. Guess who's going to be on TV on Hancock
7 (phonetic)?

8 MR. SIMMONS: It's -- yes, it's going to be
9 on me, you know. So I'm most definitely going to do it
10 this week. You know, there's heat riding this week.
11 But I got to get out there and do it, you know. I like
12 the heat riding because we get overtime. But, at the
13 same time, we got to walk.

14 MR. DAVIS: Look at all the money I'm making
15 you today.

16 MR. SIMMONS: Yes. I appreciate it. Thank
17 you. But I'm serious. I'm really, really serious
18 about what's going on here.

19 MR. DAVIS: I appreciate that.

20 MR. SIMMONS: And I'm not a whistleblower,
21 but, you know, I will tell the truth.

22 MR. DAVIS: That's all I'm looking for.

23 MR. SIMMONS: You know.

24 MR. DAVIS: You know what I'm saying?

25 MR. SIMMONS: But, yes, our supervisors are

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1 the problem.

2 MR. DAVIS: Yes, no, and they're saying,
3 right behind, they're saying you're the problem. You
4 know what I'm saying?

5 MR. SIMMONS: Yes, and --

6 MR. DAVIS: And then we're getting caught in
7 the middle going -- but now I'm finally getting it
8 straight. And that's all I want is a straight story.

9 MR. SIMMONS: Yes, well, yes, I'm here to
10 tell you the truth. And, like I say, we're pressured
11 into doing these switches, you know.

12 MR. DAVIS: Is there just too many of them,
13 or just don't want nothing on any of them?

14 MR. SIMMONS: Don't want nothing, what do
15 you mean?

16 MR. DAVIS: Don't want any restrictions or
17 any measurements different than what the hell is there.

18 MR. SIMMONS: Okay. You asked me is it too
19 many of --

20 MR. DAVIS: Interlockings for you to go do,
21 too many switches for you to do in one day.

22 MR. SIMMONS: Well, there's too many to do
23 in one day. See, that's what it is. There's too many
24 to do in one day, because we have to do these and then
25 go and do one and then go to the next one.

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1 MR. DAVIS: Is this your maintenance day?

2 MR. SIMMONS: Today is --

3 MR. DAVIS: No, no, I mean, when you do the
4 switch inspection.

5 MR. SIMMONS: Yes, yes, I think this was
6 maintenance day.

7 MR. DAVIS: Okay.

8 MR. SIMMONS: No, the reason I'm thinking of
9 that, because, you know, there's days that are
10 different.

11 MR. DAVIS: Right.

12 MR. SIMMONS: But, yes, we used to do
13 interlockings on maintenance day.

14 MR. DAVIS: Maintenance day.

15 MR. SIMMONS: Yes. Lately we've been, have
16 to do overtime, you know, come in on our off days to do
17 things because we would back up, heat riding, short of
18 men, that type of thing.

19 MR. DAVIS: Right.

20 MR. SIMMONS: But, yes, we are pressured to
21 do these switches. And --

22 MR. DAVIS: What about Poston (phonetic)?
23 What did you tell me? Know anything about him, or does
24 he get involved at all?

25 MR. SIMMONS: See, I don't know Poston that

1 well.

2 MR. DAVIS: Okay. That's cool.

3 MR. SIMMONS: But he's making it difficult
4 for us, though.

5 MR. DAVIS: Do he?

6 MR. SIMMONS: Yes, he had -- you know, like
7 I said, I don't know him that well. But a lot of guys
8 can tell you about him, you know.

9 MR. DAVIS: But some of them --

10 MR. SIMMONS: They said he got a hard on for
11 track walkers. You know, he gives track walkers for
12 some reason.

13 MR. DAVIS: But some of them tell me that.

14 MR. SIMMONS: Yes.

15 MR. DAVIS: But then I ask them where or
16 why, and they say, well, so and so said it, you know.

17 MR. SIMMONS: Yes.

18 MR. DAVIS: And I don't want so and so said
19 it. I want to know what, you're telling me why you say
20 that.

21 MR. SIMMONS: Right.

22 MR. DAVIS: And I can hear whatever you got
23 to say. But I don't want it to be from so and so, you
24 know?

25 MR. SIMMONS: Yes, right, right. That's why

1 I'm saying, you know, I don't know him that well. And
2 I don't want to put no one out there just to be saying
3 something --

4 MR. DAVIS: Right, no.

5 MR. SIMMONS: -- you know.

6 MR. DAVIS: If you had something or you knew
7 something --

8 MR. SIMMONS: Yes.

9 MR. DAVIS: -- I'd love to hear. But --

10 MR. SIMMONS: Yes.

11 MR. DAVIS: -- if a guy, if I ask a guy and
12 he don't know --

13 MR. SIMMONS: Yes.

14 MR. DAVIS: -- but then he gives me a bunch
15 of bull --

16 MR. SIMMONS: Yes.

17 MR. DAVIS: -- and then I go pursue it, and
18 then I look really dumb.

19 MR. SIMMONS: It's not --

20 MR. DAVIS: I ain't doing, you know.

21 MR. SIMMONS: No, I'm not going to put you
22 out on the street, like, you know --

23 MR. DAVIS: Right, right.

24 MR. SIMMONS: No, no, you know. I mean,
25 what can I say, man, about him, you know? I haven't

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1 had no real problem with Mr. Poston --

2 MR. DAVIS: Okay.

3 MR. SIMMONS: -- you know. But I hear that,
4 you know, he makes it difficult for guys, you know.

5 And that's all I hear.

6 MR. DAVIS: Right, right, right.

7 MR. SIMMONS: You know, I can't really, I
8 can't be negative --

9 MR. DAVIS: Okay.

10 MR. SIMMONS: -- you know.

11 MR. DAVIS: I'd love to have anything solid.
12 Like I said --

13 MR. SIMMONS: Yes.

14 MR. DAVIS: -- anything solid I need to
15 know. You know what I mean? Because then we can make
16 the right moves and make the right decisions. But I
17 don't want bullshit or --

18 MR. SIMMONS: Right.

19 MR. DAVIS: -- you know, somebody else told
20 me he did this, that, and the other thing, because I
21 get that all the time.

22 MR. SIMMONS: Yes.

23 MR. DAVIS: And that don't get me nowhere.

24 MR. SIMMONS: You know, I'm -- there is
25 nothing I can, you know --

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1 MR. DAVIS: And that's cool.

2 MR. SIMMONS: When we was in the assessment,
3 you know, every time, you know, he was, this
4 superintendent, you know, we did extra work, or he had
5 us do stuff that maintenance would do, you know. But
6 that's just --

7 MR. DAVIS: That's --

8 MR. SIMMONS: -- the job.

9 MR. DAVIS: Right, right.

10 MR. SIMMONS: You know, so, no, I can't --

11 MR. DAVIS: Okay. Good. That's what I want
12 to hear.

13 MR. SIMMONS: Yes.

14 MR. DAVIS: I just want to hear what you
15 got.

16 MR. SIMMONS: You know.

17 MR. DAVIS: I don't want to hear no bull.

18 MR. SIMMONS: I don't have no --

19 MR. DAVIS: Okay.

20 MR. SIMMONS: -- nothing about him.

21 MR. DAVIS: Good.

22 MR. SIMMONS: Or anyone really. But, you
23 know, like I say, you know, what's going on with my
24 immediate supervisor, you know, that's where I have my
25 problems, you know, when it comes to restrictions and

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1 things like that.

2 MR. DAVIS: That's Lovick.

3 MR. SIMMONS: And he would do the switches.

4 Well, see, now Lovick just got there.

5 MR. DAVIS: Oh, okay.

6 MR. SIMMONS: He was switched over because
7 of Trapp's situation. But he is --

8 MR. DAVIS: Right.

9 MR. SIMMONS: Well, now, he can tell you a
10 lot, because they have a run-in, you know, Elijah with
11 Lovick.

12 MR. DAVIS: Oh, Elijah had Lovick in -- I
13 mean, has trouble with Lovick?

14 MR. SIMMONS: Yes. And now they're back
15 together.

16 MR. DAVIS: Yes, he ain't the first one,
17 right.

18 MR. SIMMONS: Right. He's not the first
19 one. Lovick's been all over the area, you know. So,
20 and --

21 MR. DAVIS: So who wrote out that you was
22 having trouble, Scott?

23 MR. SIMMONS: No, I don't have no trouble
24 with anyone.

25 MR. DAVIS: Oh, oh, I thought you said you

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1 was having trouble. Now that Lovick's here, you don't
2 have the same --

3 MR. SIMMONS: No, I'm having trouble with
4 calling in restrictions.

5 MR. DAVIS: With Lovick.

6 MR. SIMMONS: With Lovick, and it was with
7 Scott also, you know. But I don't have personal --

8 MR. DAVIS: No --

9 MR. SIMMONS: -- problems with them. I get
10 along with everybody.

11 MR. DAVIS: Sure, sure.

12 MR. SIMMONS: No, seriously, I don't have
13 nothing negative --

14 MR. DAVIS: No, I hear you.

15 MR. SIMMONS: But people have run-ins. You
16 know, I'm here to do my job. I try to do it right, for
17 real, you know. I'm really sad that this happened.
18 And I'm telling people, hey, look, my name is on this,
19 you know. And I did get out there the best I could,
20 you know.

21 I'm going to tell you the truth. I was the
22 one inspecting that track. We all three were out
23 there. And Bellame, he, of course, he's the Rick
24 (phonetic). But my partner, Bo Wells (phonetic), he
25 didn't want to do anything.

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1 So I'm out there by myself pretty much
2 inspecting these areas. That's why I can talk about it
3 like -- but, you know, I don't know about this 1-1/2
4 inch movement, you know, you know, for real, about
5 that. But I was really the one out there inspecting
6 these tracks.

7 MR. DAVIS: But what is it that -- who did
8 you say it was with?

9 MR. SIMMONS: Bo Wells, Kaniff (phonetic),
10 they call him Kaniff --

11 MR. DAVIS: Okay, Kaniff Johnson (phonetic).

12 MR. SIMMONS: Wells.

13 MR. DAVIS: Oh, Wells.

14 MR. SIMMONS: Wells, yes. This --

15 MR. DAVIS: Okay. Why don't I have his ass
16 on the form?

17 MR. SIMMONS: I don't know. But that's the
18 one everybody wants.

19 MR. DAVIS: What, they want to --

20 MR. SIMMONS: Yes, yes, he's kind of a
21 troublemaker.

22 MR. DAVIS: Okay.

23 MR. SIMMONS: Yes.

24 MR. DAVIS: But why doesn't anyone do the
25 damn job?

1 MR. SIMMONS: We don't know.

2 MR. DAVIS: No? It's --

3 MR. SIMMONS: I mean, you know, he's one of
4 them type of guys --

5 MR. DAVIS: I mean, I sit here and just
6 scratch my damn head.

7 MR. SIMMONS: Yes.

8 MR. DAVIS: It's a good job. It pays great
9 money. You're special.

10 MR. SIMMONS: Yes, but, see --

11 MR. DAVIS: People look at you and go, man,
12 he is keeping us together, you know.

13 MR. SIMMONS: Right.

14 MR. DAVIS: He out there looking for us.

15 MR. SIMMONS: Right.

16 MR. DAVIS: And there's one after another of
17 these guys that would be like I'm going up and getting
18 me a sandwich, yes, or, Central, I'm here. What do you
19 mean?

20 MR. SIMMONS: This guy wouldn't work
21 anywhere.

22 MR. DAVIS: Yes.

23 MR. SIMMONS: You know, he just got a job
24 that he can maintain and do what he want to do, you
25 know.

1 MR. DAVIS: Young guy?

2 MR. SIMMONS: No, he's about my age.

3 MR. DAVIS: Really?

4 MR. SIMMONS: I'm 56. And he's somewhere
5 around there. But, you know, he's on family leave and
6 all that. And he takes off anytime.

7 MR. DAVIS: Right.

8 MR. SIMMONS: Burns up all his vacation
9 time, you know. So nobody wants to work with him,
10 because it seems like every time somebody works with
11 him, something wrong goes wrong.

12 MR. DAVIS: You think?

13 MR. SIMMONS: Something goes wrong. Yes --

14 MR. DAVIS: Here we are today, right?

15 MR. SIMMONS: Yes, we had a guy here,
16 working with a guy, same, you know, Dulles. He came to
17 work late in Washington, what's his name, Melvin
18 (phonetic). He came to work late. Melvin called in to
19 Morgan (phonetic). He told him that he's on his way.
20 So they started their walking. Melvin's up on the end
21 line calling on. And he's not there. But, see,
22 Poston, he came around, you know --

23 MR. DAVIS: Checked on him.

24 MR. SIMMONS: -- just to check on him. Of
25 course, Melvin was there, but Bo and I -- Bo got the

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1 whiff that Poston is --

2 MR. DAVIS: (Unintelligible.)

3 MR. SIMMONS: Yes, yes, he called in sick,
4 you know.

5 MR. DAVIS: Left the boy hanging.

6 MR. SIMMONS: Right. You know, that's my
7 idea. So I don't want to walk with him.

8 MR. DAVIS: Yes.

9 MR. SIMMONS: I don't want to be with him.

10 MR. DAVIS: Right.

11 MR. SIMMONS: Because, like I say, I was out
12 there inspecting and he's just walking around. I said,
13 come on, man, we got to really look at these things,
14 you know --

15 MR. DAVIS: Right.

16 MR. SIMMONS: -- this area, because the
17 train had -- you know, we had a SafeTrack before that.
18 And I just wanted to see if any damage has happened --

19 MR. DAVIS: Right.

20 MR. SIMMONS: -- you know. But like I say,
21 I don't know about this 1-1/2 inch movement.

22 MR. DAVIS: The wear was there.

23 MR. SIMMONS: You know.

24 MR. DAVIS: Now 3-1/2 was what it was --

25 MR. SIMMONS: 3-1/2.

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1 MR. DAVIS: -- from the derailment. But I
2 found where 1-1/2 was in there old.

3 MR. SIMMONS: In the diamond.

4 MR. DAVIS: In that crossover track --

5 MR. SIMMONS: Yes.

6 MR. DAVIS: -- that came off the switch
7 going across the diamond.

8 MR. SIMMONS: Yes.

9 MR. DAVIS: So that's where it derailed,
10 just before the -- you know, not -- about two cars
11 before the diamond --

12 MR. SIMMONS: Yes.

13 MR. DAVIS: -- in the crossover track.

14 MR. SIMMONS: Yes.

15 MR. DAVIS: And, yes.

16 MR. SIMMONS: Right.

17 MR. DAVIS: You know, I got pictures
18 somewhere.

19 MR. SIMMONS: I have a problem.

20 MR. DAVIS: I'll have to show you that.

21 MR. SIMMONS: Okay. Yes, I did have a
22 problem with him. I'm always having problems with him
23 when --

24 MR. DAVIS: Yes.

25 MR. SIMMONS: -- when he was inspecting

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1 track. I just don't want him with me.

2 MR. DAVIS: Yes, I think I know who he is
3 now --

4 MR. SIMMONS: Yes, you know --

5 MR. DAVIS: -- because I think I had -- when
6 we had the Smithsonian derailment, I interviewed him.

7 MR. SIMMONS: Yes.

8 MR. DAVIS: Because he's walking over there
9 in New Carrollton or something.

10 MR. SIMMONS: Yes, he walking in New
11 Carrollton.

12 MR. DAVIS: Yes.

13 MR. SIMMONS: Right. He's walking in New
14 Carrollton.

15 MR. DAVIS: Is he the one with no teeth?

16 MR. SIMMONS: No teeth, huh?

17 MR. DAVIS: No, that must --

18 MR. SIMMONS: No, no, it's somebody else.

19 MR. DAVIS: Yes.

20 MR. SIMMONS: Okay.

21 MR. DAVIS: Now I'm just --

22 MR. SIMMONS: No, you might be talking about
23 Graves (phonetic).

24 MR. DAVIS: Graves, that's who I'm talking
25 about.

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1 MR. SIMMONS: That's Graves.

2 MR. DAVIS: Yes, yes, yes.

3 MR. SIMMONS: He's been around for a long
4 time.

5 MR. DAVIS: But I know Wells, too, because I
6 did those two right next -- you know, I did -- I think
7 did Graves first and then Wells. So that's why I was
8 thinking about the two of them together.

9 MR. SIMMONS: Yes. But that's what's
10 happening with us.

11 MR. DAVIS: Okay.

12 MR. SIMMONS: You know, we are checking
13 gauges, not all the time. But if everything is still
14 the same on here, we don't change.

15 MR. DAVIS: You can say that because you
16 care.

17 MR. SIMMONS: I do.

18 MR. DAVIS: These other guys who don't care
19 --

20 MR. SIMMONS: Yes.

21 MR. DAVIS: -- and they don't care that the
22 boss, the supervisor, is just letting them sign
23 something, they ain't going to be out there. Those are
24 the ones that are really scary.

25 MR. SIMMONS: Yes.

1 MR. DAVIS: You know?

2 MR. SIMMONS: Yes, yes.

3 MR. DAVIS: That's the ones that always
4 bother me. Like I said, these two guys, every station
5 they were nowhere. You know, I watched the video. I
6 listened to the tape. And they was calling
7 (unintelligible) of it.

8 MR. SIMMONS: And you were calling -- who
9 are we talking about? That's Branch Avenue and the --

10 MR. DAVIS: Yes.

11 MR. SIMMONS: -- Smithsonian.

12 MR. DAVIS: Yes.

13 MR. SIMMONS: Yes.

14 MR. DAVIS: D02 to --

15 MR. SIMMONS: I'm going to say the Navy
16 Memorial or something like that.

17 MR. DAVIS: Something like that, yes.

18 MR. SIMMONS: Yes, up in that area.

19 MR. DAVIS: Yes.

20 MR. SIMMONS: Yes, that's Branch Avenue.
21 Yes, those guys are kind of rough over there.

22 MR. DAVIS: Yes, they are. And that's why I
23 said we went over thinking we was going to take a
24 couple of them boys out of service.

25 MR. SIMMONS: Okay, yes.

1 MR. DAVIS: But then it turns out we ask a
2 few questions, have this kind of conversation, and
3 Pitts is the problem. So then we put him on six-month,
4 you know, notice.

5 MR. SIMMONS: Oh, wow, I'm sad to hear that.

6 MR. DAVIS: Yes, well, he got to tighten it
7 up. That's all.

8 MR. SIMMONS: Yes.

9 MR. DAVIS: You know?

10 MR. SIMMONS: He's the type of guy that
11 wants to do things his way. It doesn't matter. It's
12 what I say. That's the way he talk.

13 MR. DAVIS: Yes, and that's what we told
14 him, Ron (phonetic), you got six months to get it
15 together.

16 MR. SIMMONS: Yes.

17 MR. DAVIS: You're under review. I mean, if
18 you can't get it together and do what the company wants
19 you to do --

20 MR. SIMMONS: Right.

21 MR. DAVIS: -- then you can go do it
22 somewhere else. You've been here a minute. You don't
23 want to lose that.

24 MR. SIMMONS: Yes, you don't want to lose
25 that.

1 MR. DAVIS: Okay.

2 MR. SIMMONS: But it isn't like me. Well,
3 you know, of course, we're going to do all the switches
4 and continue on doing them with the gauge, you know.

5 It's unfortunate this happened, very
6 unfortunate. I really feel bad about it. I always
7 feel bad about these things, derailling, trains
8 derailling, because this is critical. And it's causing
9 us to look bad, Metro as a whole, you know. And people
10 are asking me questions all the time, customers --

11 MR. DAVIS: All --

12 MR. SIMMONS: -- because we're out there.
13 And I try to answer them the best I can without making
14 us look, you know, bad. You know, I'm serious about
15 that, you know.

16 MR. DAVIS: All right. Well, make sure your
17 dailies are straight.

18 MR. SIMMONS: Okay.

19 MR. DAVIS: Make sure your interlockings are
20 straight.

21 MR. SIMMONS: Of course, I'm going to work
22 on this a lot more. Matter of fact, but it's a funny
23 thing, because, you know, I have the interlock for this
24 now and it's kind of close to this. You know, we went
25 out there and they did some -- let me show you.

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1 MR. DAVIS: All right.

2 MR. SIMMONS: 1A, 1B. And, you know, they
3 went out there and did new work.

4 MR. DAVIS: Yes, oh, yes, we worked our ass
5 off in that interlocking.

6 MR. SIMMONS: Yes.

7 MR. DAVIS: But we didn't get to the
8 diamond.

9 MR. SIMMONS: Right, the diamond in these,
10 right. This right here.

11 MR. DAVIS: You know, it's still all up in
12 the air.

13 MR. SIMMONS: This is what I got for 1A now.
14 There's still a lot of stuff going on.

15 MR. DAVIS: Yes, we replaced a stop rail.
16 What was that in, 1B? Is that 1B --

17 MR. SIMMONS: Yes.

18 MR. DAVIS: -- we replaced a stop rail in
19 that, 1B?

20 MR. SIMMONS: Yes, I saw something. They
21 don't have as much on it.

22 MR. DAVIS: Right.

23 MR. SIMMONS: But I can't -- yes, I think
24 it's 1B. But there's still stuff on 1B also.

25 MR. DAVIS: Yes.

1 MR. SIMMONS: Yes.

2 MR. DAVIS: Yes, because we didn't get
3 finished tying it all down and everything.

4 MR. SIMMONS: Yes. But that's my own
5 handwriting. I actually went out there and did it.

6 MR. DAVIS: I got you. Yes.

7 MR. SIMMONS: You know, and that's today.

8 MR. DAVIS: What in the hell, boy? We need
9 to do something with that John (phonetic).

10 MR. SIMMONS: That's -- but, you know, they
11 talk about 5/8.

12 MR. DAVIS: Dude, I measured it. I thought
13 it was damn close to 5/8.

14 MR. SIMMONS: Yes. Oh, you seen it also,
15 huh? Well, you know, we had a measurement with a
16 ruler, a wooden ruler, you know, with a straight edge.
17 And that's what we got, 3/16 --

18 MR. DAVIS: Yes, okay.

19 MR. SIMMONS: -- of a dip. So we can't do
20 anything about it yet.

21 MR. DAVIS: No, but it hits hard as hell
22 there.

23 MR. SIMMONS: Yes, right there. But, believe
24 me, I'm out there doing it the right way --

25 MR. DAVIS: Good.

1 MR. SIMMONS: -- you know. And that's --
2 you know, actually I thought I was doing it the right
3 way. But when you don't have partners that are with
4 you --

5 MR. DAVIS: Yes.

6 MR. SIMMONS: -- it's hard to do it. And --

7 MR. DAVIS: And that's where it comes down
8 to you just do what you can do. Dude, if you don't --
9 I'm going to have to tell them that I did this myself.

10 MR. SIMMONS: Yes.

11 MR. DAVIS: And that's why we didn't get
12 done.

13 MR. SIMMONS: Yes.

14 MR. DAVIS: Or you can work with me. Your
15 choice. I ain't mad.

16 MR. SIMMONS: Yes.

17 MR. DAVIS: But I got my own family. I got
18 my own money I need. I got -- and that's the way it's
19 going to be.

20 MR. SIMMONS: Yes.

21 MR. DAVIS: And I don't want to go to jail.

22 MR. SIMMONS: I don't want to go to jail.

23 MR. DAVIS: Yes.

24 MR. SIMMONS: I want to do this job right,
25 you know.

1 MR. DAVIS: You're going to see people
2 possibly going to jail.

3 MR. SIMMONS: Well, if you need me, call me.

4 MR. DAVIS: All right.

5 MR. SIMMONS: You know, if you want my phone
6 number or anything.

7 MR. DAVIS: Okay, yes.

8 MR. SIMMONS: Because I'm going to tell you
9 the truth.

10 MR. DAVIS: I know. I know that's right.

11 MR. SIMMONS: You know, if you want that.

12 MR. DAVIS: Go ahead.

13 MR. SIMMONS: [REDACTED].

14 MR. DAVIS: Got it.

15 MR. SIMMONS: And that's my number. And I'm
16 going to tell you.

17 Like I say, Mike Thomas is a good guy. And,
18 you know, I know Mr. Poston. You know, we shake hands
19 all the time. And I can't say nothing real negative.
20 I just hear, you know, with me personally, you know.

21 MR. DAVIS: Like I said, there's a couple
22 people that they don't like Thomas. And there's more
23 people that say they don't like Poston. But --

24 MR. SIMMONS: Yes.

25 MR. DAVIS: -- you know, until I hear

1 something other than what they've been told, you know -
2 -

3 MR. SIMMONS: Yes, and --

4 MR. DAVIS: But, I mean, I'm going to go
5 through -- you see I got this whole list of all these
6 folks I'm going to be --

7 MR. SIMMONS: Okay.

8 MR. DAVIS: -- interviewing. So --

9 MR. SIMMONS: Yes. There's a lot of guys
10 there. Let me see? Well, you got Jo Jo (phonetic).

11 MR. DAVIS: Right.

12 MR. SIMMONS: And you got me and Reggie
13 (phonetic). Reggie, he's on vacation.

14 MR. DAVIS: Okay.

15 MR. SIMMONS: When we had a accident, so we
16 don't know when he's coming back.

17 MR. DAVIS: Wimbley (phonetic).

18 MR. SIMMONS: Right here.

19 MR. DAVIS: Okay.

20 MR. SIMMONS: Yes, right here. McCoy
21 (phonetic), he's still sick. He's been out for a
22 couple weeks.

23 MR. DAVIS: Right.

24 MR. SIMMONS: Yes, see, we have problems.

25 And then, okay, Hayes (phonetic), he's over at Branch

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1 Avenue. John Evans (phonetic), I don't know him. He's
2 a new guy.

3 MR. DAVIS: Right. And Younger's (phonetic)
4 a new -- he's that big son-of-a-bitch, ain't he?

5 MR. SIMMONS: No, Younger is the -- he's a
6 new guy over at New Carrollton. He's the one that was
7 involved with the --

8 MR. DAVIS: Derailment.

9 MR. SIMMONS: -- derailment, yes.

10 MR. DAVIS: But he that --

11 MR. SIMMONS: Yes.

12 MR. DAVIS: Yes, yes.

13 MR. SIMMONS: Yes, but he's not that heavy,
14 when Grays (phonetic) is the big, heavy one.

15 MR. DAVIS: No, no, this Younger --

16 MR. SIMMONS: But he's strong, yes.

17 MR. DAVIS: -- is a strong --

18 MR. SIMMONS: Yes, yes.

19 MR. DAVIS: Yes, because I interviewed him.
20 He had just started then.

21 MR. SIMMONS: Yes, Kevis Johnson (phonetic),
22 I don't know who that is.

23 MR. DAVIS: Yes, that's -- he's on -- did I
24 get him from?

25 MR. SIMMONS: See, some guys I don't know.

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1 MR. DAVIS: Right.

2 MR. SIMMONS: Because, you know, there's a
3 lot of people.

4 MR. DAVIS: Oh, here we go. So this is one
5 of the other things I'm looking at is who are the
6 people that did East Falls.

7 MR. SIMMONS: I understand.

8 MR. DAVIS: So, of course, we've got Trapp
9 did it ten times. You did it twice. Jo Jo did it 11
10 times. So, you know, that's kind of what I'm --

11 MR. SIMMONS: Oh, yes, I understand. You
12 want to get the ones that have seen -- you know, with
13 the most.

14 MR. DAVIS: Done it the most, right.

15 MR. SIMMONS: Yes. Like I said, I don't
16 remember actually doing, you know, what is this time,
17 yes.

18 MR. DAVIS: That's why I brought the paper
19 out and showed it to you.

20 MR. SIMMONS: Yes.

21 MR. DAVIS: You know what I'm saying?

22 MR. SIMMONS: Yes, it got me two times.

23 MR. DAVIS: And especially now, because I
24 can show you that '14 looks exactly --

25 MR. SIMMONS: Right, like '16.

1 MR. DAVIS: -- the same as '16, right.

2 MR. SIMMONS: Yes, and what it is, we
3 actually look at it and see what's out there, and we
4 don't change it.

5 MR. DAVIS: Right.

6 MR. SIMMONS: That's what happens with us.
7 We don't change it, because, you know, we're pressured
8 to go to all -- we do -- they give us four or five, six
9 interlocks to do.

10 MR. DAVIS: Now, I'm going to be honest with
11 you.

12 MR. SIMMONS: Yes.

13 MR. DAVIS: After doing the Smithsonian
14 investigation, I was the lead investigator on that,
15 this derailment --

16 MR. SIMMONS: Yes.

17 MR. DAVIS: -- and me coming here to
18 interview you all again, I'm thinking I got the biggest
19 bunch of knuckleheads that I've ever met in my life.

20 MR. SIMMONS: I believe that.

21 MR. DAVIS: But now I'm finally starting to
22 get some honesty and telling me what's going on.

23 MR. SIMMONS: Yes.

24 MR. DAVIS: And then I know what's up, you
25 know, because I was thinking what a bunch of idiots.

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1 These guys, a year ago --

2 MR. SIMMONS: Yes.

3 MR. DAVIS: -- wide gauge. And you all
4 can't do your jobs, so now we're doing it again? But
5 now, like you said, you're getting pressured.

6 MR. SIMMONS: Yes.

7 MR. DAVIS: You're getting forced.

8 MR. SIMMONS: We're getting -- yes.

9 MR. DAVIS: People are saying, yes, I ain't
10 been in the interlocking in six months, but my
11 signature is on every damn month --

12 MR. SIMMONS: Yes.

13 MR. DAVIS: -- you know, because supervisors
14 are copying them and saying sign it.

15 MR. SIMMONS: Yes. And they know that. You
16 know, it's not like we're doing this on our own. We
17 were taught this.

18 MR. DAVIS: Here's the problem, Cliff Davis.

19 MR. SIMMONS: Ah, what --

20 MR. DAVIS: He's blocking, telling, what's
21 his name, Thomas and Poston that you guys are --
22 everything's great.

23 MR. SIMMONS: Yes.

24 MR. DAVIS: And then when Lovick and all
25 them other boys and they all come up to him --

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1 MR. SIMMONS: Yes.

2 MR. DAVIS: -- he's blocking so that --

3 MR. SIMMONS: He's blocking, too.

4 MR. DAVIS: -- so they can't get in trouble
5 for being jackasses.

6 MR. SIMMONS: He's -- yes. Yes, if I had 40
7 years, I'd be gone. Oh, I mean, you know, he's a good
8 guy.

9 MR. DAVIS: I didn't want to go that way.

10 MR. SIMMONS: Yes, you know, yes, he's
11 helping out a lot of these guys that don't do anything.

12 MR. DAVIS: Yes, he is.

13 MR. SIMMONS: Bo Wells, Rock, what is his
14 name, Rock-something. I don't think -- he's not on the
15 list, Rockingham (phonetic).

16 MR. DAVIS: Rockingham. Yes, there he is
17 Reginald (phonetic).

18 MR. SIMMONS: Yes, so there are guys like
19 that.

20 MR. DAVIS: Right.

21 MR. SIMMONS: You know, and a few others.
22 But, you know, I know I try to stay out of the midst,
23 you know, and I just do my job.

24 MR. DAVIS: Good.

25 MR. SIMMONS: That's what I do, coming in

1 early, getting here at 6:30, supposed to be here at
2 7:30, leave, you know, well, can't leave real late.

3 MR. DAVIS: Right.

4 MR. SIMMONS: But I arrive on time.

5 MR. DAVIS: Got you.

6 MR. SIMMONS: And, like I said, I'm trying
7 to do my job.

8 MR. DAVIS: I understand.

9 MR. SIMMONS: And if you need -- if there's
10 some questions that you need to --

11 MR. DAVIS: I'm definitely going to holler
12 at you.

13 MR. SIMMONS: Yes, I'm serious. Okay?

14 MR. DAVIS: I'm serious.

15 MR. SIMMONS: You know, I like this job.

16 MR. DAVIS: Yes.

17 MR. SIMMONS: And I'm here to help.

18 MR. DAVIS: Good.

19 MR. SIMMONS: I'm serious. I'm here to
20 help, because I want things to be well here. And they
21 got to start somewhere, you know.

22 MR. DAVIS: Yes, sir.

23 MR. SIMMONS: What was your name again?

24 MR. DAVIS: Bob Davis.

25 MR. SIMMONS: Okay, Bob Davis. I'm serious,

1 man, you know.

2 MR. DAVIS: Appreciate it. I'm serious.

3 MR. SIMMONS: And we need -- it needs to be
4 fixed. It needs to be fixed. And, like I said, I'm
5 not a whistleblower, but if it's creating problems --

6 MR. DAVIS: Too many people got to realize
7 we got to work together.

8 MR. SIMMONS: Yes, there's too many problems
9 here.

10 MR. DAVIS: Yes.

11 MR. SIMMONS: Guys were teaching me to go
12 out and eat and don't call on.

13 MR. DAVIS: Right.

14 MR. SIMMONS: And, you know, I'm going to
15 tell you a wonderful guy, though. He's not here no
16 more. Brown (phonetic), we call him Brother Brown. He
17 was here for 20-something years, retired about a couple
18 years ago. He told me a lot of stuff.

19 MR. DAVIS: Yes.

20 MR. SIMMONS: Kept me straight, you know,
21 and I've been good ever since then.

22 MR. DAVIS: Good.

23 MR. SIMMONS: You know.

24 MR. DAVIS: But, like you said it too,
25 though, most, several of the guys don't have any idea

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1 of what a WMATA 1000 is. You know what I'm saying?

2 MR. SIMMONS: I used to read that religious,
3 yes.

4 MR. DAVIS: Yes, I could tell by just asking
5 you the questions.

6 MR. SIMMONS: Yes, yes, because I'm -- you
7 know, I need to know, because there's a lot of things
8 going on. And that's our bible, you know. So --

9 MR. DAVIS: Yes.

10 MR. SIMMONS: -- I got to get back into it,
11 because I haven't been reading it, you know, like I
12 used to because --

13 MR. DAVIS: Absolutely.

14 MR. SIMMONS: -- stuff has been going on.

15 MR. DAVIS: Well, like you said, you're
16 getting pounded all day.

17 MR. SIMMONS: All day.

18 MR. DAVIS: When you get home, the best
19 thing you can do is sit on the damn couch from it.

20 MR. SIMMONS: Go to sleep.

21 MR. DAVIS: Right.

22 MR. SIMMONS: You know, because over there
23 at Dulles, you know, we've been short of men.

24 MR. DAVIS: Right.

25 MR. SIMMONS: And what happens is it was

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1 just me and Bellame doing the overtime, but filling,
2 you know, filling in the walks, you know, doing two
3 walks a day --

4 MR. DAVIS: Right.

5 MR. SIMMONS: -- stuff like that. So we
6 really didn't have time to do anything else.

7 MR. DAVIS: I can imagine.

8 MR. SIMMONS: And I like my job. And I'm
9 here for you.

10 MR. DAVIS: I appreciate --

11 MR. SIMMONS: I'm telling Mike Thomas --

12 MR. DAVIS: Okay.

13 MR. SIMMONS: -- I said, look man, if you
14 need me, I'm here for you. And he said he appreciated
15 it. But, you know, we've never really talked about
16 anything that's any problems, you know, because he got
17 -- I'm sure he has a lot of problems.

18 MR. DAVIS: Yes.

19 MR. SIMMONS: You know.

20 MR. DAVIS: Yes.

21 MR. SIMMONS: There's a lot of problems
22 going on and supervisors and --

23 MR. DAVIS: Yes.

24 MR. SIMMONS: -- just regular.

25 MR. DAVIS: And the reason they brought him

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1 over here is because he never done inspections before.

2 MR. SIMMONS: Okay.

3 MR. DAVIS: He's the great track man. And
4 he knows everything there is about building track and
5 walking track and everything.

6 MR. SIMMONS: Yes.

7 MR. DAVIS: But he's never worked on the
8 inspection side with the group of you all.

9 MR. SIMMONS: Yes.

10 MR. DAVIS: So he comes over here with no
11 connections, no nothing. Nobody knows anything about
12 him over here in inspections --

13 MR. SIMMONS: Right.

14 MR. DAVIS: -- because he's always been a
15 production guy.

16 MR. SIMMONS: I understand that.

17 MR. DAVIS: So, you know, that's one good
18 thing, you know, Mike Davis did.

19 MR. SIMMONS: Okay.

20 MR. DAVIS: He said let me let him -- let me
21 put him over there and see what he's doing.

22 MR. SIMMONS: Yes. The group of guys are
23 not bad guys.

24 MR. DAVIS: I know. I believe you.

25 MR. SIMMONS: You know, it was just that --

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1 MR. DAVIS: I want to believe that.

2 MR. SIMMONS: They just --

3 MR. DAVIS: But, I swear, they just --

4 MR. SIMMONS: They're knuckleheads.

5 MR. DAVIS: Yes.

6 MR. SIMMONS: And that's the truth.

7 MR. DAVIS: Yes.

8 MR. SIMMONS: I learned that when I first
9 got here, you know. And when I'd tell him, look, I
10 want to go home, and, you know, I got food.

11 MR. DAVIS: Yes.

12 MR. SIMMONS: You know, I got a mortgage and
13 all that.

14 MR. DAVIS: Sure.

15 MR. SIMMONS: And I don't want to lose my
16 job, you know. And I don't want anyone else to lose
17 their job --

18 MR. DAVIS: Right.

19 MR. SIMMONS: -- you know.

20 MR. DAVIS: And I want to retire and enjoy
21 my retirement.

22 MR. SIMMONS: You got that right.

23 MR. DAVIS: Not me begging on that shit.

24 MR. SIMMONS: Well --

25 MR. DAVIS: All right. I'm good.

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1 MR. SIMMONS: Okay. You okay? Yes.

2 MR. DAVIS: Yes.

3 MR. SIMMONS: But, you know, like I say, you
4 know, you have questions, call me.

5 MR. DAVIS: I'm going to holler at you.

6 MR. SIMMONS: And I'm going to tell you the
7 truth, man.

8 MR. DAVIS: I appreciate it.

9 MR. SIMMONS: You know, we're out here. We
10 are doing the work, but we are pressured to do certain
11 things.

12 MR. DAVIS: I see.

13 MR. SIMMONS: And, you know, but, yes, I
14 don't like the guys not, you know, calling on and not
15 being there.

16 MR. DAVIS: Yes.

17 MR. SIMMONS: I never did like that, you
18 know. I never did.

19 MR. DAVIS: Right.

20 MR. SIMMONS: Okay.

21 MR. DAVIS: All right, buddy.

22 MR. SIMMONS: Yes, man, I'll see you, okay?

23 MR. DAVIS: Don't forget your paper. Yes,
24 sir.

25 MR. SIMMONS: All right. For real. Yes,

1 I'm not going to forget it, because I've to give it to
2 Lovick tomorrow morning. Okay.

3 MR. DAVIS: Sounds good. All right.

4 MR. SIMMONS: Yes, Mr. Elijah --

5 MR. DAVIS: Okay.

6 MR. SIMMONS: He's a good guy. I don't know
7 what he's going to tell you.

8 (Whereupon, the above-entitled matter went
9 off the record at 8:43 p.m.)

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C E R T I F I C A T E

MATTER: East Falls Church Derailment
July 29, 2016
Accident No. DCA16FR010
Interview of Lawrence Simmons

DATE: 08-09-16

I hereby certify that the attached transcription of page 1 to 117 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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